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THE WESTERN ALLIANCE.

IT is fortunate that newspaper articles are not legitimate causes of war. The English press has been officially accused of attacking the Imperial Government; and a portion of the French press, with far less reserve—though not always without calling forth a distinct official disclaimer—denounces, day after day, the English name and nation to the hatred of Europe. It is unsatisfactory to observe that, except by universal suicide, it would be impossible to escape from the condemnations which are passed on our character and policy. A mercantile spirit and an insane love of anarchy seem to be inseparable from the very existence of England; and in the eyes of a certain class of French journalists, commerce and commotion seem to bear precisely the same appearance. The tenacity with which the English Government has insisted on the evacuation of Serpents Island may be attributed at once to a desire to sell cotton and cutlery to the half-dozen inhabitants, and to a perverse desire to thwart the conservative policy of Holy Russia. The alliance with England, in the opinion of the Fusionists, the Royalists, and the more enthusiastic Imperialists, is contrary to the true policy of the Great Nation. France, according to a popular jargon, has the mission of propagating ideas—England is actuated wholly by commercial motives. Sympathy for Italian independence is therefore stigmatized as vulgar and tradesmanlike; and the French Government is exhorted to devote itself to the transcendental occupation of maintaining peace with the absolute Powers, and of keeping up the price of shares. Co-operation with Austria against Sardinia, and with Russia against Austria, treason to allies, sycophancy to opponents—any policy which tends to restrict liberty and to render progress impossible—would meet with the approbation of the journals which have undertaken the defence of religion and order.

The *Gazette de France*, considering, in common with its contemporaries, that it is useless to appeal to English conscience or reason, courteously suggests the expediency of intimidation. It is much to be regretted, according to the Legitimist journal, that a certain Admiral LALANDE was not allowed, in 1840, to carry out his patriotic designs. It seems that this meritorious officer assured his Government that, on a declaration of war, he was confident of sinking or taking the English fleet in the Mediterranean; and then, says the journalist, the Admiral, flushed with victory, would have broken the blockade of the Thames, and the world would have been avenged. ALNASHAR might have sold his basket of eggs, and invested and reinvested the proceeds, until he became a prodigy of wealth, and married the Vizier's daughter. Unfortunately, the eggs broke, and Admiral LALANDE did not march up Piccadilly with Admiral STORFORD and Sir CHARLES NAPIER chained behind his triumphal car. Another opportunity, according to the French journalist, was lost when England was terrified by the accession of a new NAPOLEON; but there is still time to make the demonstration which was then neglected. The insolent islanders must be taught to tremble, instead of being allowed to propagate sedition and free trade throughout the happy and peaceable Continent.

The French Government is perfectly right in habitually treating with contempt the scurrility of angry slaves; and we scarcely need the assurance of the *Moniteur*, that even the less violent attacks on this country which sometimes appear in so-called semi-official journals, are not to be regarded in the light of diplomatic manifestation. Yet it may take a lesson from the instinctive aversion of its own bitterest enemies and least trustworthy supporters to the English alliance. The Imperial dynasty is insecure as long as it fails in conciliating the sound and intellectual leaders of the nation. While fanatics and sycophants clamour against the State

which represents orderly freedom, every scholar, every thinker, every serious man of letters in France, is employed in directing the attention of his countrymen to the stability of the English constitution. The union of the Western Powers has seemed to afford some pledge that the actual dictatorship would be used rather for the promotion of enlightened policy than as the foundation of a vulgar despotism. A league between France and Russia, in opposition to England, would alienate all the intelligent classes from the Government. The taunts of the Absolutist journals against English interposition in Italian affairs are founded on the assumption that, while both the Allies were pledged to the same policy, only one of them is in earnest. If the suspicion were just, England would have little right to complain of the position assigned to her as the exclusive champion of freedom in Italy. The imputation of caprice and timidity can only concern those against whom it is, by necessary implication, directed.

Our domestic alarmists are eloquent in descriptions of the ubiquity and vigour of Russian intrigue. Ambassadors, and spies, and private agents, are supposed to be simultaneously employed throughout Europe in flattering the French EMPEROR, in exciting suspicion against English policy, and generally in preparing the rupture of the Alliance which has checked the tide of aggression in the East. It is highly probable that the charges against Russian diplomacy are well founded; but the fortunes of the world are not dependent on the transparent contrivances of Courts. The profuse civilities of Russia must be thoroughly understood at Paris as equivalent to an admission that, in return for solid services, only fair words are to be expected. Were France unwise enough to assist in undoing the arrangements of the late treaty, her new ally could offer her no material advantage in return.

The coincidence of opinion between Austria and England as to the question of the Bessarabian frontier may serve to illustrate the insignificance of declamation and of diplomatic scandal. A few months ago, the journals of Vienna were employed, like those of St. Petersburg at the present moment, in courting the favour of the French EMPEROR by the grossest adulation, and in protesting against English policy. The actual co-operation between the two Powers is the result, not of diplomacy, but of circumstances. Similar causes will secure the maintenance of the Western Alliance, and obviate any risk of a renewed collision with Russia. No Government has anything to gain by hostility to England; nor is it likely that a policy will be successful which consists in attempts to play on the supposed personal weaknesses of members of the French Government. Continental journalists and gossips will probably long continue to hold up English institutions to the odium of the base and the ignorant; but statesmen will scarcely engage in a hopeless crusade against a Power which has rarely emerged from a war without an increase of strength.

A few years since, foreign affairs occupied the attention of British politicians only at unfrequent intervals. The organs of the resuscitated Peace party have some pretext for the complaint that international relations absorb the attention of statesmen, while rumours of disputes and new combinations keep up a constant feeling of uneasiness and alarm. Yet it is better that diplomatists should be overworked than that conflicts of interest should be allowed to reach the point at which collision becomes probable. The last war was produced, not by the jealous susceptibility of Cabinets, but by the acquiescence or credulity which promised impunity to oppression. The questions which were partially solved by arms still remain in a great degree unsettled; and it is better that they should be finally disposed of now, than that they should remain as the germ of new difficulties hereafter. The expediency of insisting on the strict fulfilment of the Treaty of Paris is evident to all observers, except those who would

escape from every embarrassment by an unlimited system of concession. A great country has foreign relations imposed upon it by its position, and if it declines to fulfil its duties, it cannot escape the consequences of neglect. A weak submission to Russian pretensions in the East, for the sake of temporary repose, might render another Eastern war, at no distant period, unavoidable.

There is no present reason for fearing any worse calamity than the continuance of some of the existing diplomatic difficulties. All the Continental Powers have sufficiently shown their indisposition to war, by their eager adhesion to the first terms of peace which were proposed. The subjects on which differences of opinion remain are not such as to involve the risk of hostilities in any quarter. Wallachia and Moldavia, whether separate or united, are for some time to come secured against direct aggression on the part of Russia. England and France are nominally acting in concert with respect to Italian affairs, and in case of intervention by any third Power, their accord would become a reality; and though the criticisms of the press in either country may excite a certain amount of unfriendly feeling, they have no tendency to produce a rupture. The alliance of the two Governments is founded on a permanent and mutual interest; and even if it were interrupted by caprice or petulance on either side, the causes in which it originated would again and again produce the same result.

A PREMIER'S HOLIDAY.

THE maxim that "they do these things better in France," must be reversed. LOUIS NAPOLEON at Compiegne, and Lord PALMERSTON at Manchester, present as complete a contrast as can be conceived; and our own country is no loser by the comparison. In either case, there is a trace of exaggeration—the EMPEROR as much overdoes the imperial and stately aspect of a ruler's holiday as, perhaps, the English Minister carries too far the pride of humility. A very refined and sensitive taste might possibly have disinclined some English statesmen from submitting to this sort of ovation, while the recollections of the gay follies of TRIANON on the very eve of 1789, might have suggested to so astute a personage as the French Sovereign the questionable policy of his Arcadia at Compiegne. There can be no question which sort of holiday will ensure the largest return of popularity. On the one hand, are the great lords and ladies masquerading in sylvan attire, and playing at ORLANDO and ROSALIND in the forest—hunting the stag, and doing the greenwood life just as one reads of it in ballads and pastorals—while credit is shaking, and prices rising, in that great seething caldron of Paris. On the other, is our septuagenarian PREMIER visiting the metropolis of manufactures, prosing over libraries and museums and mechanics' institutes, lecturing to and being lectured by Chambers of Commerce and Commercial Associations, receiving three deputations a day, making three speeches, and listening to thrice three orations—congratulatory, hortatory, minatory—each and everything in turn. There can be no question which holiday is the most profitable investment to the holiday-maker. If the autocrat has forgotten his wonted prudence, the statesman has made an unusually lucky coup.

Of course there is a little vanity in the thing. The great PREMIER condescends, and knows that he condescends, and, we suspect, shows that he condescends. He slightly overdoes the thing, as is his wont. The visit is, in itself, little short of a royal progress, yet with something of the stately grandeur of Oriental or Papal humiliation. Lord PALMERSTON is but the people's most humble instrument—*Servus servorum populi*. He claims no merit—he has no deservings—he has done nothing. He has simply registered the popular will—only embodied and given form to the general sentiment. But with all this avowed tendency to the Indian ideal—at the very moment that his lordship seems sighing for the blessings of self-annihilation and absorption in the infinite—he contrives to hint, and insinuate, and suggest, in the most delicate way in the world, a complete vindication of his whole political life. He is nothing—dust, rags, offscourings; yet he is not, he ventures to think, a man who loves war or foreign interference for its own sake. There are reasons why he views foreign politics in a certain way—why others ought to view them in that way—why anybody trusted with the destinies of this great nation must treat them in his way, and in no other.

And then observe how he touches—with a touch so light and playful, yet substantially, with a grasp so decisive—on

the matter of interference, especially the doctrine of intervention with smaller States. And so with other matters. In speaking of the prospects of peace—on which the very faintest word from such a quarter may be pregnant with meaning—with what singular skill does the happy orator contrive to say that of which one is utterly puzzled to know whether it means everything or positively nothing, whether it is the merest of truisms or the gravest of surmises and forebodings. Certainly never did politician fulfil his object—though we are not quite sure what his object was—as skillfully as Lord PALMERSTON has done at Manchester. We feel that we are in the presence of a consummate artist, who has an object, and is carrying it out entirely to his own satisfaction, though one cannot be entirely certain of the drift of it all. Of only one thing we are clear—that it is all very well done. Analyse it, and perhaps it defies rigid and technical examination. It is too volatile—the essence and spirit are too fine to submit to vulgar tests. A great deal of it only looks like the ordinary—very ordinary—commonplaces, such as the common run of Parliamentary lecturers might and do deliver to Glasgow colleges, or in Lincolnshire reading-rooms, on the development of the intellectual faculties, the genius of the British people, the accomplished triumphs of Free Trade, and so forth. But the thing is done in a style of consummate cleverness. One feels like meeting a great man under an archway in a shower of rain—you see in an instant that he is a great man. It is always a treat and a study to see the artist at his work, however humble his materials. He shows his real power in the effective handling of commonplaces more, perhaps, than by any stupendous exercise of intellect. Lord PALMERSTON shows that he has power, and has the art of governing. With what force—and yet in what an apparently careless, unconscious, accidental way—did he demolish the peace theories in the very presence of the peace-mongers! He preaches to Mr. BROTHERTON the right and duty of meddling with every State, and actually has the assurance to inform this very acquiescing Mr. BROTHERTON that the lecturer and the lectured are quite at one on the subject. And so throughout. It is not his own views, not his own conclusions, not his own anticipations, that the speaker utters. He is but a mouth-piece. He only reflects his audience. He is but all things to all men—to Manchester he is but the embodiment of Manchester. Still, whether it is the commerce, or the industry, or the literature, or the policy, foreign or domestic, of Manchester, which the noble visitor claims to represent, somehow there is a most perceptible and genial flavour of PALMERSTON in the whole thing. We sincerely congratulate both the PREMIER and the great manufacturing metropolis on the amicable relations so agreeably and easily cemented; and we only hope that they are not destined to be speedily disturbed. It is, at any rate, pleasant to infer from what we have seen this week that Manchester and the "Manchester School" are not absolutely identical.

AMERICAN ELECTIONEERING.

THE name of the future PRESIDENT has been known for some days in all parts of the United States, and in another week the unwonted curiosity which has been felt on the subject in England will be satisfied. Unless the division of parties has devolved the choice on the House of Representatives, there can be little doubt that Mr. BUCHANAN will succeed Mr. PIERCE in March next. Mr. FILMORE was perhaps, both personally and politically, the most eligible of the rival candidates; but, during a period of excitement, the representative of an intermediate party has little chance of success. Tories, as usual, call him a Whig, and Whigs describe him as a Tory. The Republicans especially point to the signature of the Fugitive Slave Law as a proof that the American candidate favours the claims of the slave-owners. One or two of the Southern States will have given their votes to Mr. FILMORE, and it is barely possible that, by a local coalition with the Republicans, his partisans may have carried Pennsylvania; but, on the whole, the intervention of a third party will have tended mainly to the advantage of the Democrats.

It is also possible that at the last moment Colonel FREMONT may have obtained a majority; and although his opponents have strangely exaggerated the dangers to be apprehended from his success, there is no doubt that his position as President would be more painful and unsteady than that of any of his predecessors. That he is a sectional candidate may

not be his own fault, or that of his supporters, but it is an undeniable fact. In fifteen States of the Union, no Republican ticket was ever presented to the electors; and the triumph of the party by an immense preponderance of Northern votes might give a perilous stimulus to the excitement which exists, while, in many cases, it would probably substitute disaffected feelings for blustering and rebellious phrases. Colonel BROOKS would not march at the head of his bludgeon-men on Washington; but a Republican PRESIDENT would be regarded as a common enemy, and his administration would be thwarted on every practicable occasion. Mr. BUCHANAN will, at the worst, only continue the policy of Mr. PIERCE, and in its first contest a new and aggressive party may put up with a defeat. There are no menaces of disunion in the North, nor is there even a pretence of disaffection to the Union; and the Republican Opposition will doubtless be content to exert their strength against the Administration in Congress, while they prepare the minds of the people for their future accession to power.

It is highly probable that a new Democratic PRESIDENT will exert himself rather to remove the scandals which had endangered the success of his party than to carry out the policy of his Southern adherents. The civil war which is still smouldering in Kansas constantly arouses the indignation of the Free States. The Governor of the Territory has utterly failed in his attempt to procure from the Northern settlers a recognition of the Constitution enacted by the Border Ruffians; and as the new Legislature will represent only the dominant party, it will possess no moral authority. A measure brought forward in the Senate, by Mr. TOOMBS, for the adjustment of the existing differences, failed in consequence of the well-founded distrust of the House of Representatives towards the Executive Government. It was naturally thought that Commissioners appointed by Mr. PIERCE would be mere tools of a faction. Mr. BUCHANAN, however, will commence the work with clean hands; and until he displays an undue leaning to either party, it will be the interest of both to aid him in composing the quarrel. When the excitement of the Presidential contest has passed over, moderate men will remember with satisfaction that the nominee of the Cincinnati Convention was neither the first nor the second choice of the Southern delegates. Mr. PIERCE had fairly earned the first place by his four years' devotion to the cause of the slave-owners, while Mr. DOUGLAS was thought almost equally deserving of reward for his services in repealing the Missouri Compromise. The acceptance of Mr. BUCHANAN'S name was a concession to the Doughfaces, or Northern Democrats, who favour the extension of slavery only so far as it is necessary to their party organization.

Mr. PIERCE entered on his term of office without an Opposition to control him. The Whig party broke up after its defeat at the election, and the Republicans had not yet come into existence. The PRESIDENT was solemnly pledged to discountenance all agitation on the subject of slavery, and it could not be anticipated that his influence would be used exclusively on the side of the South. Even the passage of the Kansas-Nebraska Bill left the Democrats unopposed, except by the temporary and evanescent organization of the Know-nothings. The supporters of Colonel FREMONT have only been united by the outrages of the Missourian invaders in Kansas, and by the scandalous conduct of the Federal officials in the Territory. The questions at issue are now thoroughly understood in all parts of the Union. Mr. BUCHANAN will be closely watched by the House of Representatives, and by the whole Republican party; and unless he wishes the long succession of Democratic Presidents to end in his own person, he must employ the powers of his high office for national and not for factious purposes.

The only direct concern of foreigners is with the external policy of the Union. The Ostend manifesto and the Cincinnati platform connect Mr. BUCHANAN with a system of aggrandizement which, a few months since, seemed likely to be popular in both the great sections of the Federation. The annexation of Cuba as a Slave State has long been projected by the South, but Northern politicians of every colour have concurred in sanctioning the blustering and offensive diplomacy of the Federal Cabinet. The Presidential contest which has recently closed will, for the first time, have pledged a numerous party to an honest and peaceable policy. A few months ago, the Republicans in the Senate, in the House, and in the Press were the noisiest and most unprincipled agitators against England, and, with few exceptions, they advocated the piratical expedition of the Filibusters in

Nicaragua. Electioneering necessities, however, have since compelled FREMONT and his supporters to protest against the contemplated seizure of Cuba; and WALKER has, with characteristic impudence, thrown himself on the support of the South, by restoring slavery in Central America, after an interval of more than thirty years. The advocates of Free Soil will scarcely venture to countenance any longer an invader who imposes the "peculiar institution" on an alien and unwilling population. As a stroke of policy, the prudence of the measure seems doubtful; for Virginian traders will scarcely venture to transfer their live stock to Nicaragua by sea, in defiance of the law which makes the Slave-trade felony, whilst, on the other hand, immigrants from the North may possibly be deterred by the anticipation that they will have to compete with negro labour. The intrusive President's proclamation is probably intended only to make political capital at Washington.

The more violent partisans of slavery, the BROOKSES and the WISES, will be disappointed by the election of BUCHANAN. For four years to come there will be no reasonable pretext for disunion. There can be no doubt that the project of separation has been seriously contemplated. The Governors of the Southern States lately held a meeting to concert the measures which were to be adopted if the Republican candidate succeeded; and the economists of the party had not failed to point out the loss sustained by the agricultural districts in consequence of the protective tariff maintained by the cupidity of the North. The manufacturers of New England can, it is said, barely hold their ground with a differential duty of 30 per cent. in their favour. A dissolution of the Union, therefore, followed by a commercial league between the cotton States and England, would starve out the Yankees by the withdrawal of their raw material, and by the simultaneous closing of their principal market. The journalists of South Carolina contemplate with extreme gratification the supposed limitation of the wealth of New England to the single article of cod fish; and a few among them have even discovered that Lexington and Bunker's Hill are not to be counted among the greatest battles in history.

The English Government and nation ought to preserve strict neutrality between the contending factions. No question which is likely to arise between the two countries could justify a war, except the attempt to exclude English commerce from the interoceanic transit. So long as the Isthmus is secured against American monopoly, English statesmen may remain on amicable terms with any Administration which can be installed at Washington. The Southern portion of the dominant party is not unfriendly to England, and the Opposition is bound for the time to resist a policy of conquest. Kansas is fortunately too remote to invite a crusade by the readers of *Uncle Tom*. The Abolitionists are, as a political party, powerless in America, and the practical questions connected with the extension of slavery are too delicate to admit of foreign interference. Popular sympathy on this side of the Atlantic would make little distinction between the laws enacted by the sovereign State of Missouri and the spurious constitution imposed on the adjacent Territory by a *bogus* Legislature of invaders. The success of FREMONT would have inflicted a severe disappointment on philanthropic amateurs of foreign politics.

One of the most remarkable features of a political contest in America consists in the singular ability of the speeches which are delivered, and the general fairness with which they are received. Every district in the Northern States has been "stumped" by rival orators, and, in almost every instance, the discussion has been conducted with great controversial vigour. The argumentative and elaborate essays delivered by the principal leaders of parties prove that the mass of the population desire to be assisted in forming an opinion on the questions at issue. The hustings speeches at an English general election are shallower, less dignified, and less respectful to the audience, than the analogous efforts of influential American politicians. The whole question is exhausted by the speeches of Mr. HUNTER on behalf of the Democrats, and of Mr. BANKS, the Republican Speaker of the House of Representatives; but many other eminent orators have made displays not less successful. A nation which can be reasoned with during the most violent fits of excitement deserves to govern itself; and it is a relief to turn from the cant and sophistry of Continental Europe to a country where men cheaply buy the right to say what they think, at the cost of yielding to an occasional temptation to say something more.

ANONYMOUS HUMAN NATURE.

THOUGH we have pretty clearly shown our opinion that anonymous journalism is not a phenomenon of the day which ought simply to be acquiesced in, and left without criticism or question, we are as far as possible from agreeing with those malcontents—numerous enough, and influential enough in private society—who seem to regard it as a cover for the indulgence of every passion and every baseness of which human nature is capable. Great as are its temptations, it is plain that the most obvious of them are habitually resisted by periodical writers; and it is fair to suppose that all of them are in general kept under by honest purpose and self-control. Still, though we utterly deny that anonymous journalists make statements as their fancy, and victims as their malice, may direct, we must admit that some kind of change does really seem to come over a man when he is penning a production which is not to bear his signature at its foot. The admirers of the system would probably tell us that he merely shakes himself free from conventionalities. He writes, they say, as all the world would write, if not constrained to bow in that temple of RIMMON in which the *Mrs. Merdle* of Mr. DICKENS is a priestess. We all think alike, it might be urged, concerning Lord LUCAN, Lord CARDIGAN, and Sir RICHARD AIREY; but were we to speak of them in our proper persons, private friendship, or social etiquette, or natural timidity might smother or emasculate our opinion, and the country would lose the benefit of our righteous condemnation. Concealment, in fact, discloses what the lantern of the Cynic threw no light upon—it brings out the honest man.

Yet anonymous writers have some characteristics which we should be sorry to regard as lurking universally in human nature. One of these is their extraordinary sensitiveness. Rebukes or retorts which in the face of day men would pass over, or pretend to pass over, with amusement and disdain, appear to affect a writer who speaks in the name of a newspaper like the deadliest insult or the most poignant sarcasm. When a country gentleman gets up, as Mr. PALK did the other day in Devonshire, and remarks that our principal journal had been very severe of late on the agriculturists, but that it might as well "wash its dirty linen at home," and exert itself in obtaining, by a series of brilliant articles, the removal of Peruvian imposts on guano, is it not astonishing that he should be punished with a column and three-quarters of the strongest abuse which can be provided out of a fine fund of racy Anglo-Saxon? It is true that Mr. PALK was a little at sea as to the meaning of the Napoleonic apothegm, and may have intended something severer than his words imply; but that is hardly a reason for calling him a "mad bull" and an "infuriated ox," and for recommending him to pursue his studies in his own Sunday-school. It is hard to persuade oneself that any one who did not write anonymously would have been irritated by Mr. PALK's language. When one has made a speech (say in Manchester) on agricultural statistics, is it so very cruel in a county member to tell us that our sneers at the farmers are all very well, but that we had better employ our great talents in getting manure cheapened? There may be men alive who are wounded by a retort like this, but surely such extravagant soreness is not the normal rule of humanity. Surely mankind does not consist entirely of individuals who wriggle through the business of existence like worms without a skin. We are loath to believe that there is no such thing as common patience in the world, and to think that the callousness of Englishmen to the rubs of a public career and to the "chaff" of private life is a mere pretence, which would be instantly relinquished if it could be given up without detection. Yet, if it be true that any one of us would have smiled to find himself the sole object of Mr. PALK's undivided chastisement, what can be the reason why a writer in a newspaper who receives remotely and obscurely a sixth or seventh part of it, should be goaded by it into a passion of revengeful frenzy? But perhaps the strangest part of the matter is, that if much worse charges than Mr. PALK is capable of conceiving are made against an English journal by an anonymous contemporary, they are always repelled with some decent show of consideration for the assailant. If any respectable London newspaper were to tax the *Times* with being sold to the Czar, or with publishing false news for the purpose of influencing the Stock market, the refutation of the calumny, if it were deemed worth refuting at all, would be accompanied by an expression of respectful regret that any member of the English press

should have condescended to such a mode of injuring a competitor. One anonymous writer is, in fact, sure of reasonable civility from another. It is only an open gainsayer who is looked upon as vermin, and gets no sort of law.

Other peculiarities of newspapers, as distinguished from the individuals by whose aggregation they are composed, are their insatiable greed of praise, and their unchecked propensity to self-laudation. There are doubtless among the contributors to our principal journals men of the most eminent talents, of the most unblemished integrity, and of the loftiest public spirit. Mr. A. B. is one of these; but if we were to walk into Mr. A. B.'s drawing-room and tell him publicly, in the presence of witnesses, that his abilities were only equalled by his private virtues, and his private virtues by his patriotism, he would certainly suppose either that we meant to insult him, or that we had a design on his purse. Yet let Mr. A. B. but permit the veil of anonymousness, sometimes transparent enough, to fall over his cheeks, and these very compliments will not excite the semblance of a blush. In his professional capacity, he will submit to have them offered to him in still more unqualified terms, and will consent to their being circulated as widely as the popularity of his journal will allow. Nothing comes amiss to his appetite for encomium. Semi-grammatical eulogies from obscure provincial newspapers obtain a conspicuous place, if only sufficiently hyperbolic; and the stupidest of Constant Readers will secure a hearing for the pettiest of grievances, if he is careful to begin with an appeal to the most impartial, the most influential, and the most incorrupt of tribunals. Flattery was classed by the Greek philosopher among the fine arts; but, though it be done as coarsely as sign-painting, it will be readily accepted by a modern newspaper, and instantly paid for in reciprocal praise. What is the worth of the commendations of Sir ROBERT PEEL? What is the value of the approval of the *Manchester Examiner*? The one wants to be noticed in a leading article—the other to be advertised in a corner. All the world understands the motive of these encomiasts, but, by a singular sort of convention, the testimonials they offer are received and dealt with as the spontaneous ebullitions of a generous nature. Not only are they acknowledged, but they are treated as if they were the natural text for a studied effort of self-glorification. *Laudatus a laudato*, the journalist instantly proceeds to laud himself. He tells us how self-sacrificing he is, how single-minded, how far-seeing—how his advice has guided events, and how events have accredited his plans and verified his predictions—he sneers at government and statesmanship, and not obscurely intimates that, if he had been entrusted with the control of affairs, he could have improved all the fortune of the country and averted all its miscarriages—he complains of misconstruction and base jealousy at the hands of the few, but throws himself confidently on the gratitude of the unspoiled and intelligent masses. He would die rather than whisper a word of this in his native character, yet he shouts it out from behind the curtain of anonymous writing, though three-fourths of it has necessarily a personal application to himself. It is certain that journalists daily bring a number of great qualities to bear on their occupation—why is it that they so frequently neglect the especially manly virtues of modesty, fortitude, and self-respect?

RAILWAY ACCIDENTS.

IT used to be said that the last resource of a stranded journalist in the twilight of the year was a railway accident. When politics, social and domestic, are on the wane—when even Parliamentary lecturers have squeezed commonplace to its dregs—the daily essayist, with nothing to say, has always a last, though anything but a pleasing, resource, if not in a good smash, yet in the quarterly statistical return of casualties, which every clever writer keeps in reserve for a rainy day. And a leader on railway accidents generally reads better in dirty weather than at other times. In July, we own that the most thrilling narrative falls tame even on passengers. To a summer traveller by the Great Western express, it is of no use going into all the wickedness of directors in general, or discussing the scandalous economy, in particular, of retrenching signal-men. The calamities which surround shunting, and the dangers which threaten from loose chairs, are not so formidable when the sun shines. We have been told that death itself may be tolerable, if not desirable, on the condition that one is to be buried in a very pretty churchyard; and certainly a railway accident in the midst of sunshine and charming scenery

does not look formidable in anticipation. It is only in November that we have the real thing, both in fact and fancy. Ghost stories always tell best in grim company; and a good railway accident needs this season of the year to present it in all its dignity. We must say that the disasters of the last week have fully sustained the tragic interest of the rail. As in Mr. KEAN's revivals, the scenery fits the poetry. There is a completeness in the whole thing—the *mise en scène* and the catastrophe are in harmony.

First, there was the fog-day of last week. It was like that old Egyptian fog—a darkness that might be felt, and this in more ways than one. It was a darkness wet as well as palpable. Nor was it partial. London had its particular variety of the article on that fatal Wednesday—yellow, oleaginous, opaque, and fœtid; but in every part of the country it was much the same—all objects were invisible in the mist at thirty yards' distance. If people were to be killed, like AJAX, they were to meet fate in the dark. And the locality for the great event of the day was appropriate. It is only those who have lived on the confines of Bucks and Northamptonshire who know the dreary country north of Wolverton. The group of scattered villages known as Roade, Ashton, Hartwell, and Hanslope, are poor and ugly even in the ugly Midland Counties. Here it was that, in consequence of a smash—the smash being consequent on the engine of a coal-train "getting detached," and after running loose for a few miles, returning on its train, and crushing it all to pieces—the whole traffic of the vast North-Western Railway was blocked up for some twenty-four hours. Many hundreds of people were stranded in a wild country, four or five miles from a station, two or three from any village, and six or seven from even such a town as Stony Stratford—without food, without shelter, without fire in a November night of fog and sleet. These are the conditions under which one realizes the rich profusion of calamity which can attend a railway collision under a favourable combination of circumstances.

But this was not the speciality of the occasion. Unfortunately, there was a death in the case, and there was, of course, an inquiry—indeed, there was a coroner's inquest. But, as it was only a poor devil of a fireman who was killed, the inquiry was a very amicable affair. In fact, it was an occasion for the Company to show off a bit. Their anxiety and promptitude, and the efficiency of their officials, were found to be beyond all praise. Nothing could exceed the facilities offered to all inquirers. The coroner and jury were "perfectly satisfied"—"the intelligent yeomen" and the superintendent at Wolverton bowed and complimented each other with the formality of *Noodle* and *Doodle*. Indeed, Mr. McCONNELL evidently took the whole thing as rather a godsend. Here, he says, you have only a fireman killed. It is a goods train, remember, and there was a fog. But as regards passengers, "we have introduced a recent improvement for securing perfect safety of travelling over the London and North-Western Railway; and if the signals are attended to, a collision, in the ordinary sense of the term, is rendered impossible." Such are the *ipsissima verba* of the eloquent and confident superintendent. What follows we must be contented to abridge:—"You see we have introduced a telegraph dial, with a single needle, at stations every two miles apart, all the way (at present), between London and Rugby. This is the special train telegraph. Needle to the right, needle to the left—this shows that the two miles are clear—accidents impossible, you see, gentlemen." Hereupon, "several of the jury remarked, that the new system appeared to be well calculated to prevent accidents." All this display of excellent feeling occurred on Saturday last—scene, the Globe Inn, in the village of Hanslope.

And yet, at the very moment that all England was calculating that on the North-Western Railway, or at least on that favoured portion of it which lies between Rugby and London, Fate might be defied—at the very moment that the newspapers of Monday were delighting us with Mr. McCONNELL's gratifying description of his new dodge, which makes "a collision, in the ordinary sense of the term, impossible"—on that very day, on that very North-Western Railway, and in that happy region between London and Rugby, exceptionally blessed with the new system of telegraphic train signals—occurred a smash of which we can only marvel that it did not end in the death of fifty people. In broad daylight, at three o'clock in the afternoon, a large coal-train broke down; and the express train, at the moderate rate of forty (some say sixty) miles an hour, dashed into it, utterly regardless of the new invention—safety signals, two-mile stations, double needles, and all the rest of

it. We are not going into the rigmarole and mystification which are always plentifully lavished by official authorities on real causes of a railway accident. We do not know, nor care to know, how it was that a red signal ought to have been put on, or by what unlucky chance a signal which ought to have been seen at eight hundred yards' distance was not caught at two hundred yards—or how it was that the break would not act at the critical moment—or how it was that Nash Mills and Boxmoor were not in that *rapport* which had been calculated upon. The real cause of the accident, which might have been immeasurably worse than it was—and which really did shake a peer and peeress, and grievously bruised and contused many gentlefolks of name and figure—is as simple as possible. It is that the North-Western Railway has too much work for its rails—that it runs goods trains and passenger trains, as the old stage directions say, "confusedly," all day and all night—and that the new patent telegraphic-train-signal-safety system is especially contrived in order that express trains and coal trains may be normally within a mile and a half of each other, as the rule of the road. The system is perfect, says Mr. McCONNELL, but there is a "certain rigidity" about it—it provides for entire safety until there is an accident. It announces the fact or probability of danger every two miles. Indeed, in this case it was perfectly successful. It openly showed and declared that the coal train had broken down. But it did not, because it could not, stop the horrid express, dashing on at express pace, just one mile and a half behind it. So far as we can understand the exact merits of the new invention, they consist in this, and only in this—that the telegraph announces with perfect certainty any peril which may occur within two miles. But unless, within one minute and a half after the discovery of an obstruction, the signal actually arrests the progress of the advancing train, the announcement might just as well not have been made. In other words, the North-Western Company runs the thing so very fine that it allows only a mile and a-half—which, converted into express time, means a minute and a-half—between two trains one of which is an express.

With this plain, solid fact in evidence, we deem all further inquiry superfluous. The directors may of course exhibit their usual anxiety to "investigate the causes," &c. Captain HUISSN's activity, and the unremitting attention of all the officials may be for the five hundredth time chronicled—the Board of Trade may, as usual, remonstrate—and the Board of Directors may, after the ordinary fashion, promise and not perform. But the safety of the public will never be secured, though there should be signals at every hundred yards of the line, so long as passenger-trains and goods-trains—the hare and tortoise—are allowed to run on the same rails by day and by night. Nothing less than an entirely separate line of rails for coal and goods traffic will meet the dangers which, as business increases, become every day more imminent and appalling.

LORD MAYOR'S DAY.

LORD MAYOR'S DAY will be celebrated on Monday next, and the annual criticisms on the festivity will be published on Tuesday morning. A complacent multitude will then exult in its own intellectual superiority, despising gilt coaches and Corporation barges, and only regretting that it has no longer a man in armour to despise. In this manner the whole metropolitan population enjoys the ancient festival. The hundreds of thousands crowd the streets in unaffected admiration of the pageant which pleased their ancestors; the magnates of the City, together with a certain number of guests from the West-end, have the opportunity of sitting at the same table with Ministers of State; and finally, the tens of thousands—some of them, perhaps, after seeing the show—rejoice over their newspaper that they are not like others, children to be amused by gewgaws.

Strange as it may appear, the Corporation, and more especially the LORD MAYOR, is a popular institution. The reasons which have been urged for reforming an anomalous mediæval municipality are numerous, logical, and forcible; but it would seem that there must also be a reason why it has not been reformed. The framers of the Municipal Act omitted the City from their scheme, principally for the sake of avoiding an opposition which might have been formidable; yet it was also felt that the Mansion-house is something different from its provincial imitations. While Manchester and Liverpool require municipal officers to regulate their local affairs in accordance with the general feeling of the

community, the City of London has the peculiar duty of representing, on ceremonial occasions, the middle classes of England. The function is not, perhaps, very important, but it interests a portion of the population which is for the most part too exclusively utilitarian in its tastes. No sane man would deliberately endow the Corporation and the Companies with their present estates, but the feasts and processions which are paid for out of their resources have the advantage of costing nothing to any individual, or to any definite class. The great majority of the inhabitants of London took pleasure in the visit of the French EMPEROR to the Guildhall, without considering the economical conditions of the display; and if they had thought on the subject, they would have known that it involved no tax upon themselves, and they would have justly considered that it was the business of the City to provide funds for all metropolitan solemnities.

It is true that the LORD MAYOR's dominions form an absurdly insignificant fraction of London. Those who are curious in statistics will find the dimensions and the population of the City set forth in several leading articles on Tuesday. It would be rash to state the amount of the revenues which are devoted to the government of this wealthy little district, and it is probable enough that the Corporation estates might provide several bridges, and many miles of sewers, or might supersede the necessity of police and paving rates; yet it may be doubted whether the property belongs to the metropolis at large, and the mode of its expenditure has hitherto been, on the whole, in accordance with popular feeling. At all events, the ordinary municipal wants of the City are tolerably well provided for. No other part of London is better watched, better drained, or more rationally administered; and the custom of expending the surplus revenues in pageantry and feasting has virtually been sanctioned by the universal suffrage of the middle classes. The splendid buildings and great public works which have not been undertaken by the Corporation would certainly not have been projected by any municipal body which could have represented the metropolis; for the ratepayers would have demanded that the revenues of the corporate estates should be applied to the reduction of their burdens. It is not improbable that the taste for gorgeous feasts will soon become obsolete, but up to the present time the citizens of London have thought that the first duty of their chief magistrate consisted in hospitality.

While the City is but a fragment of the metropolis, the Aldermen and Common Council are, it is said, not even the natural leaders of their own community. Mr. SALOMONS, both as a capitalist and as a courtly dignitary, was a rare and fortunate exception. Great bankers and merchants keep aloof from the municipal body which conventionally represents "the wealthiest metropolis in the world." Yet those who complain of the anomaly ought to consider that it would, under any circumstances, be unavoidable. Merchant princes have seats in Parliament, and concern themselves with national politics; and the local management of the town which contains their counting-houses offers little to interest members of a larger circle. The municipality properly consists of persons who attach importance to their office and to its duties. Provincial functions of a corresponding kind are generally discharged by the smaller resident gentry; for great proprietors seldom administer Poor-law unions, or trouble themselves with the management of vestries. In fact, the successive occupants of the Mansion-house represent their fellow-citizens more truly than if they habitually moved in a higher sphere. When a Minister or a Foreign Ambassador addresses the LORD MAYOR's guests, he understands that his audience is not composed of his own ordinary associates. The exchange of courtesies between the great officers of State and the City functionaries is a dramatic exhibition of the relation which exists between the Government and the country. Ceremonies of the kind are unmeaning where a Prefect receives his official superior; but the City, with its wealth and its traditions, not unfitly represents a free and independent community.

The highest merit of the Corporation is of a negative kind. The LORD MAYOR stands between the inhabitants of London and a real municipal tyranny; for the powers of a metropolitan Government would be sufficient to excite the ambition of agitators and jobbers, while its duties would not be attractive to the more wealthy classes. Every town is best administered by its own principal inhabitants, but the most conspicuous residents of London are the aristocracy of the country. Belgravia and May Fair take no interest in

the concerns of Marylebone, and would strongly resent the interference of a central vestry. The metropolis has no organic unity which could be properly represented by a central administration. The nearest neighbours are generally strangers to each other, and the "province covered with houses" is only connected by an existing police system, and by a possible system of future sewers. The City, on the other hand, has common sympathies as well as ancient customs. The debates of the Common Council may not be very interesting to strangers, but they are evidently conducted with the zeal and earnestness proper to an assembly which still believes in itself; and the dignitaries of the Corporation are regarded with a genuine respect and pride which would never attach to new-fangled functionaries elected in accordance with the most approved modern theories.

One reason for preserving the LORD MAYOR is that a central figure is necessary for the festival of Lord Mayor's Day. It is superfluous to inquire whether the civic procession is either instructive or beautiful—it is quite enough that it gratifies the harmless tastes of a holiday multitude. Year after year, under the misty sky of November, thousands upon thousands crowd the streets for the pleasure of seeing something which, with all its defects, appeals to the eye and to the imagination, while it is wholesomely removed from the irksome associations of everyday life. When the newspapers drove the contrivers of the pageant to unharness the man in armour, they performed the same service to the crowd which a girlish reader would derive from the reduction of a hero of romance to the proportions of common life. The cuirass and the greaves were undoubtedly anachronisms, but the sight-seers wanted to see something unlike the ordinary costume of London. No metropolis contains a population more desirous of amusement, or provided with fewer varieties of recreation. The fireworks and illuminations of last summer, probably gratified a greater number of persons than any other public exhibition on record.

The evening, too, of the great civic anniversary, has its own interest, as the titled guests appear in their uniforms on the way from the West-end to the Guildhall. The imagination of the multitude outside is pleasantly stimulated by the thought of the Apician luxury within; and few newspaper readers, even of a higher class, are too proud to study on the following day the gigantic bill of fare, with its haunches of venison as common as legs of mutton, its scores of tureens of "real turtle," and its *entrées* under mysterious French names. Considerations of this kind ought not, perhaps, to bias Parliament when the Corporation Reform Bill is at last introduced; but enlightened critics who censure anomalous institutions might do well to consider why they exist, and whether they are really offensive to the feelings of the country.

FOREIGN RAILWAY PROJECTS.

IT is just as easy to gamble with one sort of counters as with another. Little bits of ivory answer the purpose admirably. So did Dutch tulip roots in the last century; and Mississippi allotments were equally useful. A few years ago, iron rails were the recognised medium for commercial betting. One thing, in fact, does just as well as another, provided it is subject to some natural fluctuation in value, to serve as a foundation for the transactions grafted upon it. Our own railway shares have long since ceased to answer the purpose of the pitch-and-toss market, because they have steadily sunk to a uniform state of depression, which leaves no scope for the ingenuity of jobbers. Just at the present moment, there is not sufficient animation in the stock market to encourage much speculative action; and there is no particular form of commercial enterprise at home which seems likely to be forced into unwholesome development to suit the purposes of Capel Court. It is nevertheless certain that, as soon as money becomes a little more plentiful, some investment more fluctuating and exciting than consols will be discovered, by the instrumentality of which the loose cash of inexperienced outsiders may find its way into the pockets of those who are initiated in the mysteries of the market. There are some indications that the next subject of speculation will be one of the most unsatisfactory that could be selected. While men were gambling in English railroads, they did some good to the community as a set-off against the confusion and ruin which they brought on themselves and their friends. The upshot of the epidemic was some thousands of bankrupts, and as many miles of substantial, though unremunerative, railway. Of late, however, there

has been a decided leaning towards foreign speculations of various kinds; and if, as seems not unlikely, the next gambling movement should be in this direction, the crisis that must follow will be aggravated by an increased drain of bullion, and the disturbance of legitimate commerce will not be compensated by the smallest advantage to the country at large.

Concessions of undertakings of considerable magnitude in the South of Europe have already been obtained by English projectors, and are ready to make their demands upon the market as soon as it shall have recovered from its late depression. But the great danger that threatens is from the schemes worked up by the *Crédits Mobiliers* and other speculative societies of France and Germany. It has been stated that a French company has undertaken to construct a system of railways in Russia of nearly 3000 miles in extent, with a guarantee of $4\frac{1}{2}$ per cent. on a capital of 15,000*l.* a mile, which is rather less than half the average cost of our own lines. In some respects, Russian railways ought to be less costly than ours have been, as they will not require the lavish outlay which was necessary here to buy off opposing landowners, and to carry on the Parliamentary warfare against rival projectors. The actual construction, however, of a railway in Russia may be expected to cost more than a line of equal engineering difficulty in England, on account of the greater expense of obtaining and transporting the necessary machinery, and getting an effective supply of labour for the undertaking. But it is, of course, a matter of no importance to the negotiators who obtain concessions, whether the suggested capital may or may not suffice for the execution of the works. It is quite sufficient for their purpose if the schemes are plausible enough to float in the market, and to be made the instrument of successful operations.

We should be very glad to think that the projects of the French speculators would meet with a cold reception here. Nationally, we can only lose by them. The benefit of the work, in those cases where the proposed undertakings may be carried out, will not be ours. As permanent investments, they are not likely to return a remunerating interest, and if we look at our foreign share market in its true light—as a great gambling-booth—we see very little prospect of a balance of good luck in favour of England. Whatever may be said against the *Crédit Mobilier* of Paris, there is no doubt that it has been skilfully managed, and has acquired an enormous power of influencing the market rates. Whatever it touches turns to gold. No one who gambles against such odds has much more chance of success than the used-up gentlemen who have infallible theories for breaking the bank at a Baden-Baden table; and if the favourite securities of the *Crédit Mobilier* become stock subjects of speculation here, there can be but one result, namely, a steady flow of coin from the pockets of the men who follow the market to the coffers of those who rig it—or, in other words, a drain of bullion, without return, for the exclusive benefit of our ingenious neighbours. We are doing the *Crédit Mobilier* no injustice in treating it as, in substance, a stock-jobbing affair. A moment's consideration will show that a huge company which undertakes to foster all sorts of undertakings in all the countries of Europe is not likely to succeed better than the managers of each locality would do; and the enormous profits of which the *Crédit Mobilier* boasts have, in fact, been realised, if at all, by a prosperous traffic in fluctuating, and often worthless securities. The business of buying and selling shares, coaxing the market up, and dropping it down as occasion may require, is the only one which can support an institution of the character of the *Crédit Mobilier*; and it is a curious fact that smaller societies which have sprung up in many parts of Germany, in imitation of the French model, have been occasionally so pressed by the necessity of finding something to deal with, and so destitute of any feasible industrial project, that they have been obliged to employ their funds in bulling and bearing their own or each other's shares.

Foreign schemes, fostered by stock-jobbing companies, do not deserve very favourable consideration; and though we cannot expect that Russian railways will be left quite without patronage while *rouge et noir* retains its attraction, it is to be hoped that the fortunate Company which has obtained the concession from the Czar will not succeed in placing any considerable amount of shares among English investors. Apart from the factitious fluctuations of the market, the uncertainty of foreign railway schemes has already made some havoc among us, and if the threatened fever of speculation should break out in full force, it is likely

to cause much more. Losses arising out of a contract for a Danish railway are said to have caused the recent failure of the firm that built the Crystal Palace in Hyde Park, and its successor at Sydenham; and if a second railway mania should come over us, now that we have scarcely room for another line at home, we are afraid that many a fortune will be sunk in foreign works, or swallowed up by foreign schemers.

GUY FAWKES' DAY.

IT requires knowledge both of oneself and of the world to tell how to treat an insult or an indignity. A wise man knows how to get over, or to pass by, an affront; and a clever man contrives to make capital out of it. But Mr. WILLIAM JOHN O'CONNELL is neither a philosopher nor a politician—he has neither worldly nor unworldly wisdom. His endurance of injuries is neither stoical nor Christian. He goes to a Jewish LORD MAYOR, and asks him to interfere to prevent the *gamins* of London from insulting him and his religion. Mr. O'CONNELL's religion must be in sad straits if it is really distressed by the Fifth of November doings—in sadder plight still if it wants the patronage of a Lord Mayor. He has yet to learn that a little persecution is quite a stock-in-trade for a religious profession—that the blood of the martyrs is the seed of the Church in a very much lower application of the saying than that of Christian antiquity. We are by no means sure—and perhaps Dr. WISEMAN is of our opinion—that the Fifth of November is not, on the whole, rather a gain to the Romanism of the day. He knows that these party stimulants always, in the long run, turn out reactionary. He knows that all religious people, and all wise people, concur in thinking that bearing spite and malice, and chronicling revenge for two hundred and fifty years, as we do in the Fifth of November services, is sure, in the end, to have a beneficial result for the Roman Catholics. Guy Fawkes' day is, after all, a very cheap piece of persecution—it costs little to the persecuted, but it may be made a good deal of. It may be borne meekly and uncomplainingly—it may be alluded to with forgiving unction—it may be pardoned and prayed for. This is the politic way of meeting it. If Roman Catholics are wise—and many of them are wise—they will wink at the existence of the grievance. It is neither a very heavy nor a very costly one—still it is a grievance, and, as such, worth keeping up. It is our interest to put it down; but it is certainly their interest to let it go on.

Mr. O'CONNELL does not understand this. If he had ever been at a public school, or had any other rational training, he would have found out that it is never quite safe to tell his mamma, or the under-masters, that the nasty big boys bully him and call him nicknames. He runs to the LORD MAYOR, and whimpers that he is very much distressed “at the ridiculous and barbarous exhibition of parading the effigy of a Catholic Bishop about the streets on the 5th of November.” Ridiculous, and barbarous, and brutal enough it no doubt is. But why does Mr. O'CONNELL go to see it—still more, why does he tell the LORD MAYOR that he sees it—most of all, why does he assure us how very much annoyed he is? If he wished to multiply Guys of this offensive type, he went the surest way to work to achieve this notable result. There is that in the stupid, prejudiced British public—perhaps there is that in human nature—which makes us all relish and enjoy the act of teasing just in proportion to its effect on the teased. There is no satisfaction in cracking even practical jokes on the *pachydermata*. Many people, who would rejoice if the Fifth of November, and all its bonfires and stench, its cracking, popping, and fizzing abominations were at an end, and for ever, don't like to be lectured even into propriety by the homilies of Mr. O'CONNELL. Protestant England may be a very irrational and stupid animal, but it will scarcely be lectured into propriety by the combined oburgations of a Jew and a Papist. Of all possible modes of perpetuating the nuisance, Mr. O'CONNELL has hit upon the most promising.

Does he not know—though it is quite clear that he knows nothing—that the old original meaning of the day is nearly extinct? Of the thousands who let off squibs, not one in a thousand knows the real story, and not one in a hundred thousand cares about it. The religious, or bigoted, element in the celebration is utterly worn out. It is a thing of pyrotechnics, not of polemics. GUY FAWKES has rarefied off into a myth. He is now of no creed or politics. He changes according to the accidents of the time. It was the mere

accident of the popular frenzy of 1851 that for a time incarnated, or rather irragged, him as a Pope or Cardinal. Last year, the popular Guy was the Emperor NICHOLAS. Once he appeared as Marshal HAYNAU. This very year he has, at least in one instance, come out as King BOMBA. We have known the local Guy a Bishop, a mayor, an unpopular squire, the parson of the parish, or the exciseman. Anybody who happens for the time to be unpopular forthwith becomes the Guy of the season. Mr. BRIGHT once figured in this capacity—it may one day be the turn of the editor of the *Times*, or even of a Jew Lord Mayor. It is of the nature of popular celebrations to retain the form long after the substance has evaporated. There are yet places in England where fires are lighted on Midsummer Eve; but who knows or cares about the connexion of the Beltane with the ancient heathenism which celebrated fire worship at the summer solstice? People celebrate both the Midsummer and the November festivals simply from the innate love of a blaze. The Fifth of November is looked upon as a mere vulgar, dirty sort of carnival—a great day or night for boys and girls to catch cold, and waste their pocket money, and occasionally blow themselves up. So utterly has Guy Fawkes' Day degenerated from its original meaning that it seems to be lapsing into something of the poetical and allegorical form of the Belgian *Fêtes*. The most conspicuous London Guy of the present year was a pasteboard effigy of Peace or Plenty—the symbolism was not very explicit—riding on a great car, and supported by figures of a soldier and sailor. If Mr. O'CONNELL and his friends will only let well alone, they and their religion stand every year less chance of contumely. At any rate, judging from our own schoolboy reminiscences, as well as from solemn inquiries which we have instituted among the rising generation of England, we can assure our Roman Catholic fellow-citizens that, in flinging squibs, our ingenuous youth do not consider themselves to be discharging any religious duty—not even the sacred one of hurling fiery darts against the wicked POPE; nor do they feel that in crackers, or even in Roman candles, they are hissing scorn against the doctrines of Infallibility or the Papal supremacy.

The day has many painful and many grotesque associations connected with it. Undeniably it is a proof how gullible, in times of scanty information, a whole people may be. King JAMES and his advisers made the most of the facts. The SOLOMON of those days had a politic knack of making the best of plots. He invented the GOWRIE conspiracy, and he certainly applied the Powder Plot to its utmost political capabilities. The party most really injured by keeping up the Fifth of November is the Church of England, whose Prayer Book, whether lawfully or not, is still disfigured by a so-called religious service which only shows how religion can be profaned. This aspect of Guy Fawkes' day we sincerely desire to see obliterated. As to the fireworks and effigies, they may well be left to time, the healer of all feuds, and to good taste and education, the best innovators on national follies. Such a scene as that of last Saturday at the Mansion-house is only calculated to embitter the one and to perpetuate the other. It presented every conceivable aspect of the grotesque. Since the days of ANACHARSIS CLOOTZ, never did orator of an oppressed race rise into such sublimity of absurdity as the "kinsman and intimate friend and companion of the late Mr. DANIEL O'CONNELL, M.P." It could only have been an O'CONNELL who could have hit upon the fine thought of "the ashes of the great LYCURGUS collected from the briny waves, and raised again into man." And then the LORD MAYOR, with a keen sense of the value of a rising market, invested largely in the popular line, and capped Mr. O'CONNELL's eloquence with a sermon which, whatever credit it may reflect on the preacher's head and heart, was not quite suitable to a Police Court. Being, as the newspapers report it, "sensibly moved," he sensibly turned the occasion into doing a little business on his own account. "I too," was his motto; and we were only thankful that we were spared allusions to the Ghetto and the Jew of York, and the Damascus child-sacrificing story, and the yellow cap, and the tooth-extracting, and the passage from *Othello*. The best comment on the whole affair was furnished by the gentleman from the Protestant Association who took occasion on Monday to remind Mr. O'CONNELL and his friends, with more emphasis than charity, of the why and because of the particular form of Fifth of November celebrations of which he complains. Exasperation and retaliation are the only results of this silly exhibition.

THE CRYSTAL PALACE FRAUDS.

THOUGH Robson's history, as brought out last week at the Old Bailey, is in itself perfectly plain and straightforward—though he was a mere vulgar thief and forger, who has met with the fate common to his class—his case suggests reflections of a not very pleasant nature on many aspects of English society as at present constituted. It is mortifying to reflect that if he had possessed a little more patience, plausibility, and legal knowledge, he might have plundered his employers in a manner, as undertakers' advertisements express it, "combining solemnity with respectability." Our criminal law dates from the earliest antiquity, and was devised for the purpose of punishing the simple offences common in an early state of society. Such of its provisions as are aimed at commercial frauds, or even at breaches of trust, are very narrow, and specially framed to meet narrow and special cases. Nothing can be more surprising to the lay understanding than the difficulty which lawyers find in comprehending some of the worst kinds of fraud within their definitions of crime. Cheating is not punishable at common law, unless it can in some way be made out to affect the public at large, or unless it involves conspiracy; and the various Acts of Parliament intended to punish particular kinds of cheating are most uncertain in their operation. To obtain money by false pretences is a crime, but to obtain credit in account, by the very same false pretences, is not. By the help of this distinction, frauds of the most serious kind might be perpetrated with perfect legal impunity. If Robson had taken the trouble to acquaint himself with these interesting particulars, he might have gone on plundering for a considerable time to come. There was nothing to prevent a man of his energetic voracity from ruining almost any number of trust estates or public undertakings. His downright stealing and simple forgery showed him to be a novice and bungler in that great art of living by one's wits, which is so largely practised in the present day by persons of the highest respectability.

Whilst, however, we lament the imperfect state of the law upon the subject of fraud, it is only fair to admit that it is no easy matter to set it right. The line which divides larceny from sharp practice must always be of a somewhat arbitrary character, for the line by which sharp practice is divided from honesty is one which it is very hard indeed to draw in express words. In commercial affairs there are some peculiar difficulties of this kind to which we think sufficient attention has not been paid. Stealing may be roughly described as taking a man's property away from him unlawfully; but, with the progress of society, the notion of property becomes complicated and artificial. In early times, a man's personal property was what he carried about with him, or what he locked up in his house; but owing to the great extent of our commercial transactions, a vast proportion of personal property has come to consist in invisible rights over bulky commodities which the proprietor for the most part never sees. The value of such property depends to a great extent on its being readily transferable; and this object is effected by the transfer of documents, instead of by the actual change of manual possession. Conflicting rights and partial interests are constantly arising out of this state of things. A man may hold dock-warrants and bills of lading as a trustee—he may have a lien upon them—he may be authorized to sell them under certain contingencies—or he may be simply in charge of them as a clerk or servant. Occasionally, as in the case of a banker, he may retain instruments of title in his possession for a great length of time, sometimes under one title, sometimes under another. There can, we think, be no doubt that such a state of things greatly unsettles men's notions about property, especially when we consider that in a great proportion of cases it is in the power of the holder—the mere manual possessor—of such documents to make a perfect title to them by the mere act of transfer. A person, we will suppose, has in his keeping two sets of documents of precisely the same character—one set deposited with him for safe custody, and the other placed in his care as trustee of a marriage settlement. Suppose that, for some temporary purpose, either of profit or of convenience, he particularly wishes to realize them, being certain that he will be able to replace them immediately. It will be very hard to persuade him that there is any crime in realizing either, and, we imagine, impossible to persuade him that it would be a crime to dispose of the one, and no crime to dispose of the other. No doubt it is essential to the transaction of business that this complication of interests and simplicity of transfer should exist; but we feel equally sure that it is one of the sources to which we are to attribute the frightful amount of mercantile dishonesty which is engendered amongst us in all directions by the thirst after speedy gain.

It is perfectly true that juster views on the subject of property may do something, and that an intelligent and systematic adaptation of the law to the varying forms of crime may do more, for the suppression of such scandals; but these things will be comparatively powerless unless public feeling can be properly directed upon the source of the evil. Perhaps nothing can tend so strongly to such a result as the consideration of a case like this of Robson's—a consideration, not of its detailed circumstances, but of its essential nature as illustrating a principle. We talk so much of reformatory schools, of the duties which society owes to the criminal, of the necessity of appealing to his better feelings by kind treatment, and so forth, that this very circumstance blinds us to the fact that criminals are of the same flesh and blood with ourselves. We look upon "the

criminal classes" as an order of bipeds who are to be petted, reformed, and managed by a superior order of beings (to which we ourselves belong), just as horses are broken in, or dogs trained; but we almost invariably associate the notion of a criminal with bad clothes, a dirty person, filthy language, and blind ignorance. It is to be feared, however, that it is not more impossible to sit by a pickpocket at dinner than to sit by one in an omnibus. It is a lamentable truth that many men of the most unblemished reputation have committed acts which are distinguishable from crimes only by a narrow construction of law. If any of our readers had met Robson at a dinner-party, in what respect would he have differed from most of the guests? We are told that it is superstitious to believe, in these days, in the horns and tail of the devil. He would certainly be behind the age if he wore them in modern English society. What we understand by the phrase "good manners" has put almost all men on a level. We have all learnt to conceal our feelings so completely on all ordinary occasions, that a couple of judges on circuit, a bishop and his chaplain, Sir John Paul, and Mr. William Palmer, might have chatted away on a railway journey with perfect good humour. A good coat and a good address will frank a man anywhere. It is a not unwholesome, though it certainly is a humiliating exercise, to turn to the proofs of the falsehood of the universal assumption that what we, loosely speaking, call a gentleman cannot be a mere criminal. Within one year we have had several robberies, several forgeries, and at least one most frightful murder, committed by gentlemen; and yet we go on worshipping, not wealth, but the mere appearance of wealth—the claim to be rich—to such an extent that when a clerk, whose honest earnings only amount to about 150*l.* a year, keeps up an expensive establishment, and gives luxurious dinner-parties, his employers appear to consider him rather a credit to their concern.

Constantly as the utter baseness and meanness of the idols who are worshipped for their gilding (so often counterfeit) has been displayed, we do not remember a more striking instance of it than has been afforded by the poor wretch in question. He seems to have stolen a good many thousand pounds, and what for? He was not in debt—he had no appearances to keep up—he was acted on by no one of those imperious motives which so frequently push men into crime. The one sole object of his theft was to gratify the commonest animal passions and the coarsest form of vanity. He spent what he earned at such a fearful cost as a sailor used to throw away prize-money, or as a schoolboy makes himself sick with pastry. He kept three mistresses, he bought a whole stud of fine horses, he kept carriages, he bought absurd trinkets—in short, at the age of thirty-five, after a youth passed in mercantile pursuits, he behaved like a silly lad of twenty-one who has just come into possession of a quantity of ready money. Within less than a year, we have had three glaring proofs of the extent of the plague which has infected English commerce. The firm of Paul and Strahan, the Tipperary Bank, and the frauds of Robson, represent three phases of precisely the same thing—love of money. The first wanted money to keep up appearances—the second wanted money as a step to power—and the third because he was greedy and sensual. All of them were ready to sell their very souls for it, and yet none of them managed to keep the price. If we cannot hope to see the day when the power of money will be diminished, it is surely a duty to point out how very much too dearly it may be bought. It is humiliating to think that a man could taste what he ate, or look at what he wore, with such a Damocles' sword over his head as must have hung over Robson's dinner-table. Propose the alternative in cold blood, and see how it looks. You shall either live in a mean house, with the kind of income and employment to which you have always been accustomed, and nothing to fear—or you shall live in a palace, and drink champagne as often as you please, and keep several horses and carriages, and dress rather more handsomely than your neighbour, and have a good gold watch, with the prospect of being summoned at any moment to the Old Bailey and convict labour. We can fancy that, when the catastrophe came, it would be almost a relief. To a man with the slightest sensibility, such splendour as this poor wretch lived in would be the bitterest of irony.

One of the martyrs of the Reformation used to say, when he saw a man going to be hanged, "But for the grace of God, there goes John Bradford." It is a sentiment which all men who know themselves will echo; but there is a less pious remark which the number and gravity of recent mercantile frauds lead us to fear may be made by the members of many a firm, on reading such cases as Robson's:—"But for the good fortune of not being found out, there go ——— and Co."

ITALIAN NEWSPAPERS.

II.

THE *Armonia* of Turin is the principal organ of the priest-party in Piedmont. *Ubi Petrus ibi Ecclesia*, and *Fortiter et Suaviter*, are its mottoes. Its full title is *L'Armonia della religione colla Civiltà*—the idea being the same as that which we find in the name of the Jesuit review which is published at Rome, and called *Civiltà Cattolica*. The number before us contains a long commentary on the celebrated article in the *Moniteur* upon the subject of Naples, which it examines sentence by sentence. On the phrase, "the elements of disorder

existing in Italy," we find the following remarks:—"The elements of disorder should be sought for in England, where regicide and assassination are openly preached—in Piedmont, where robbery, persecution, and cursing go unpunished, and where they say that the revolution must sweep Napoleon III. from the earth—in France, where the secret societies are triumphant, where the Marianne increases, and where the Imperial Government is carried on only by means of the most rigid and attentive police." Again, on the words, "The court of Naples alone proudly rejected the advice which England and France offered in a friendly spirit," the writer says:—"The Court of Naples replied with dignity, and dignity is not pride. France and England were accustomed to the humble submission of Piedmont, and were astonished to find a firm and resolute spirit in an Italian prince." With reference to the observation in the *Moniteur*, that "the measures of rigour adopted in Naples tend to create agitation in Italy," we have the following remarks:—

The agitated state of Italy—where is it? We see only one country in Italy which is agitated, and that is Piedmont—Piedmont, where they collect muskets to use them against the king, where they cry "Death to emperors." But perhaps this agitation depends on the King of Naples; when he adopts the advice of England and France, Piedmont will become tranquil. When the Neapolitan affair is over, Piedmont will be agitated because the Pope is in Rome, the Grand Duke in Tuscany, Austria in Italy. Whatever concessions King Ferdinand may make, the agitation will not be one jot diminished, and when all things in the Italian peninsula have assumed the form which the official mind of Piedmont would give them, still the agitation will continue, if for no better reason, than because Napoleon is Emperor in France.

Mazzini lately wrote to the *Italia e Popolo* of Genoa, giving some explanations relative to his famous letter to Pio Nono in 1848. The following passage occurs in his communication:—

Whoever speaks of this letter as an invitation addressed to the Pope and not to the man, has either never read it, or has, designedly or undesignedly, failed to comprehend it. I firmly believed then, as now, that the Papacy was irrevocably doomed; and the formula, *Dio e il Popolo*, which admits no monopoly on the part of a privileged interpreter between God and his creatures, altogether leaves it out of the question. This belief of mine is seen even in that letter. But Pio Nono had at that time, thanks to some time-serving and credulous men, immense power in Italy, and I wrote to tell him that this power brought with it great duties. I would to-day again write similar words, words of advice and of threatening, to any man who had the same power in Italy; but neither to Pope nor to Prince have I ever written, or will I ever write, "I proclaim you King or Pope over Italy, because it is *perhaps* in your power, if you will, to lay the foundation of Italy." A King who had a spark of genius or of love, a Pope who understood Christianity, and had an intuitive perception of the future, might to-day, by willing it, make himself great throughout the ages, closing splendidly an epoch which is really done, let men act as they will—might write, as it were, a magnificent last page—the epitaph of two institutions which once upon a time were powerful and beneficent, instead of condemning them with a stupid and culpable obstinacy to come by their death in blood and mire.

These sentiments are of course not to the taste of the editors of the *Armonia*. A long article upon them, in which the writer ridicules the fondness which Garibaldi, Mazzini, and Manin seem to have for writing letters, and declares the reformers of Piedmont to be just as bad as the destructives, and less honest, ends thus:—

The liberals are preparing the epitaph of the Roman Church; but eighteen centuries and more have passed since men began to work at this epitaph. Still no one yet has been able to say of the Church "Here it lies;" and we know assuredly that no one will be able to say this, till he can first say "Here lies the world."

There is also an article on the question—Are the decrees of the Council of Trent binding in places where they have not been promulgated? Other papers treat of the character of Gioberti, the "lies of journalism about Naples," and the financial crisis. We likewise find some out-of-the-way news compiled from other papers—as an account of the recent appointments made by the Pope to various sees in Russia, and a notice of a present lately made by the Pacha of Egypt to the Emperor of Austria, viz., oriental alabaster for the altars of the church which is to commemorate his escape from assassination—the material being the same as that which forms the noble columns in the great basilica of St. Paul without the walls, at Rome.

The *Opinione* appears every day at Turin, Sundays included. Its politics are liberal, and much the same as those of the *Risorgimento*, which we lately noticed. The most remarkable feature of the number before us, is a very long article entitled, in allusion to an expression said to have been used by the Czar, in talking to Prince Esterhazy, "The double-faced policy of Austria." The *Opinione* has, it appears, been waging war with the *Gazzetta di Venezia*, and that journal having been reduced to silence, whether by the fire of the enemy or by the commands of its superiors, the contest is now renewed, with the *Osservatore Triestino* for the object of attack. The article in the *Opinione* concludes thus:—

For the rest, the rebuke about double-faced policy is not simply a reminiscence of the war in the East, but applies to the Austrian policy of this very hour. Russia, contrary to her true interest, has taken up the defence of the King of Naples; but although acting wrongly, she acts openly and candidly. If Austria were to support the King of Naples, she would only be supporting her own Italian policy, and thus, if not humanity and justice (that is not her affair), at least her own interests. But, on the other hand, Austria is afraid of France and England—hence a new policy with a double face. She would like to save the King of Naples, and she would like not to lose the good graces of Napoleon III.—hence a double-faced policy, in order not to break either with the one or with the other, precisely as was the case when she was oscillating between Russia and the Western Powers. The *Osservatore* boasts of this policy, and now makes a merit of Austria's conduct, in never, during the whole oriental crisis, formally breaking with Russia. We expect soon to read in the *Osservatore*, that Austria boasts of having been the most faithful

and constant ally of the Western Powers during the whole oriental crisis. The Austrian journals are like the servant in Melière's *L'Assur*, who puts on now one dress, now another, according as he has to personate the cook or the coachman of his master.

The *Opinione* has a *feuilleton*, which consists, in the number before us, of the continuation of a story called "Il Gobbo di Sumak"—Sumak, it appears, being a place (though the name looks a little outlandish) somewhere in the south of Scotland. Bervie, at least, is spoken of as in its neighbourhood. The hero is a hunchback, who is always giving the peasants in his neighbourhood good advice, which they invariably reject, to their great loss. On one occasion, he counsels them to make an Artesian well in a neighbouring common; but they scoff at the idea, and a wisacre, whose name is Dunal—in which perhaps we may recognise the familiar Donald—says that although he has been to Perth and Stirling, and has seen ships of war at Aberdeen, nothing will induce him to believe in Artesian wells. Thus speaks Dunal, swearing *per San Dunstano*; and so, too, thinks *la bella Miss Ketty*. Milord Rolling—*noto per sue grande ricchezza e le sue grosse imprese industriali*—is of a different opinion, *buys the common from the parish*, unhampered by any legal difficulties, makes the Artesian well, and reaps the benefit. We may add that the *Opinione* is very merry over a correspondent of the *Nord*, who mentions, as one of the graceful acts which the Emperor of Austria has lately done to conciliate the Lombards, the sending a new carriage to their dearly-loved Radetzky, with permission to command his troops from it, instead of on horseback, as usual.

The *Corriere Mercantile* of Genoa is an old-established journal, devoting most of its space to matters of trade. It appears every day except Sunday. Its politics are liberal, but not extreme. The number before us contains a very long attack on the *Armonia*, and a short one on the *Italia e Popolo*. The article in the former journal which it chiefly criticises is one addressed to the King of Naples, partly laudatory and partly condemnatory:—

This extraordinary strength of *yours* (says the writer in the *Armonia*) is derived from the political unity of *your* Government, from the religious unity of *your* people, from the conception *you* have of the royal dignity of *your* responsibility in the face of God and man—a responsibility which *you* will never renounce—and from the patriotic sentiment which still lives vigorous and fruitful in the hearts of *your* subjects.

The whole tone of this composition most amply justifies the remark of the *Corriere*, that such productions are not meant to affect any section of the Piedmontese public. They are for King Victor Emmanuel. To him alone are "addressed the historical and dynastic reminiscences, the pseudo-religious articles, the scandalous tirades," in which this organ indulges. It circulates only in a *coterie* of reactionist nobles and among the clergy, some of whom read it from taste, and some because their superiors enjoin them to support it. But the character of the virtuous Ferdinand has, even to the partial eyes of the *Armonia*, its shady side. This excellent man has not a sufficient regard for his good name. *Curam habet de bono nomine* is a precept which even princes should obey. When Russia is slandered, she replies—when Louis Napoleon is reviled, the *Moniteur* comes forward in his defence. But the official Gazette of the Two Sicilies never apologises, justifies, or explains. And there is one fault more. The King of Naples is too timid. He won't permit even the *Civiltà Cattolica* to enter his States—he won't acknowledge the freedom of the Church—and he took fright at a most orthodox theologian because he spoke in the pulpit about "the liberty of the sons of God." "Sire, take our advice," says the journalist; "give full liberty to the Church, conclude with the Holy See a Concordat like the Austrian one, and it will be the most worthy and the noblest revenge which you can take on your enemies. It will be the most signal benefit and the dearest reward which you can confer upon your people." If there be an Italian equivalent for the excellent Scotch proverb, "It's weel to gar ae deevil ding anither," it must, we think, give great comfort to Italian patriots at this moment. The relations between Naples and the Jesuits must be almost as reassuring to them as those between Austria and Russia.

The *Corriere's* attack on the *Italia e Popolo* is little more than a passing hit at a neighbour and a rival, *apropos* of Mazzini's letter declaring that the celebrated 10,000 muskets are not meant to subserve any special Mazzinian purpose, but are intended for the first Italian province which rises against Austria, under whatever banner it may march. We had proposed to conclude with a few remarks on the last-named journal; but the *Italia e Popolo* is much too curious and important to be treated casually.

MR. BEST ON CODIFICATION.

II.

WE stated last week the general grounds upon which we are unable to agree with Mr. Best in his view of the danger of codifying English law; but besides his general objections to the measure, he has brought forward a number of specific objections, which appear to us to furnish additional proof of the inherent weakness of the cause which he defends.

Mr. Best's first objection is, that the precedents urged in favour of codification fail to support it; and he examines the cases of the Code Napoleon and the Roman Law at some length, dismiss-

ing in a few lines the argument founded on the codes enacted in several of the United States. When, however, he remarks that he is "not aware that the Americans have codified the common law," or that, if they have, they have done so "partially and recently," we must observe that it would have been well to have said something of the Code of Louisiana, which certainly did codify the common law, and which has been in full operation for upwards of forty years. With respect to the Code Napoleon, Mr. Best's argument is so curious that we are unable to understand its application. He says that, before the Revolution, part of the country was governed by the Roman law, and part by customary law, the customs varying in different provinces; and that the inconvenience of this state of things led to various projects of codification, which were finally carried out by the Code Napoleon—which was therefore an act of legislation, giving a new uniform law to countries previously governed by different law. From this he draws the strange conclusion that the Code Napoleon can form no precedent for this country, where the law is uniform. No doubt it is perfectly true that the circumstances of England in the present day are sufficiently unlike those of France before the Revolution; and we are not aware that any one doubts that some of the reasons which made a code desirable in France do not apply to England. But it does not follow that the success of a code in France can afford no precedent as to the probable success of a code in England. Surely Mr. Best need not be told that cases may sometimes be quoted which are not on all-fours with the particular case at issue; and such a case, in our opinion, is that of the Code Napoleon. One thing, at any rate, it shows, by Mr. Best's own statement. If ever any nation had an opportunity of comparing the respective advantages of written and customary law, the French were in that position. There was no reason why the *Coutume de Paris* might not have been extended over the whole of France, if experience had shown that written law was a mere law of language, but unwritten law a law of principles. So far as the precedent goes, it proves that a nation which had the best opportunity of comparing the two systems preferred a written to an unwritten law, and that when they gave a uniform system to the whole country, they embodied it in the form of a written code, instead of adopting the plan of giving universal extension to any one of the unwritten customs which preceded it. But the precedent does not stop there, though there Mr. Best leaves it. Belgium, the Rhenish Provinces, and the kingdom of Sardinia still retain the Code Napoleon, notwithstanding the overthrow of the political system which introduced it; and in some of these States, at any rate, the laws which it superseded were customary laws. Nothing can be more certain than the fact that the opinion of the French nation, under all its different forms of government for centuries past, has been in favour of codes, as opposed to unwritten customs.

Mr. Best's argument on the subject of Roman Law is still more remarkable. He contends that it was due to two causes—the enactment of the "Perpetual Edict" in the time of Adrian, and the nature, expense, and scarcity of ancient books. The "Perpetual Edict" was a codification of what, in some degree, answered to that part of our law which goes by the name of Equity, issued once for all, instead of being issued from year to year. He supposes that the materials from which the Pandects and Codes were compiled might have filled about thirty volumes printed in the modern type, and he states that the original authorities were so scarce as to be hardly attainable. "These two circumstances, and especially the latter," says Mr. Best, "seem to me sufficient to render the codification of the Roman law indispensable in that country;" and they also, as we understand him, constitute such a difference between the cases of England and Rome as to destroy the value of the precedent for our own guidance. Surely this is a strange argument. It is true that our own equity enjoys the full advantage of being in an uncoded state; and it is also true that we have substituted bound books for papyrus rolls, that our laws cannot be comprised in thirty volumes, and that the original authorities are easily accessible in the sense of being contained in plenty of public and private libraries in London. So far, no doubt, the cases of Rome and England differ entirely; but they differ like the terms of a sum in Double Proportion, which may be stated thus:—If a mass of matter equal to thirty printed volumes made codification "indispensable" when books were scarce and hard to get at, what will a mass of matter, consisting of many hundred printed volumes, render necessary when books are plentiful and comparatively cheap? The mere mechanical facilities for reading do not enlarge the capacity of the human brain. No man ever did, and probably to the end of time no man ever will, know the whole of the law of England as it is in 1856. The scarcity or plenty of books, the convenience or inconvenience of their shape, their costliness or cheapness, and the like, are only the means by which the state of things which renders codification "indispensable" is produced—that state of things being the difficulty of ascertaining or understanding the provisions of the law. If it were necessary for this object to read one thousand neat 8vo volumes, sold for *g.*, it would be just as necessary to codify, or in some way or other to simplify the law, as if it were contained in thirty black-letter folios, costing some hundreds of guineas. Mr. Best's argument really seems meant to prove that it does not matter how voluminous or complicated the law may be, if it

is only contained in handsome volumes, readily accessible to those who have the means of buying them. The truth is, however, that though English law reports are very handsome and convenient specimens of printing and bookbinding, their number is so great that the mere expense of buying them as they come out is very serious; and the quantity published is such that no one who is occupied in the business of the profession can spare the time to read them. This evil is so enormous, and so obvious to every one familiar with the subject, that we never knew any one, except Mr. Best, throw a doubt upon the subject. To him, however, the subject presents itself under what is certainly a novel point of view. He is of opinion that the anomalous condition of English Law is really advantageous. "The mass of authority," we are told, "in English law is much more apparent than real. Much of the old works is conversant about laws which have long ceased to exist, and almost everything in them applicable to our law at the present day has been transferred to digests and text-books, which give the practising lawyer the information he requires; and the greater alterations made in the law, the more of these old works will drop into oblivion. But as these digests and text works have no binding authority, and can only be used as directory, almost all the advantages of codification are obtained by them, while the characteristic evils of converting Common Law into Statute law are avoided."

Indexes seemed to Lord Bacon to be of little use except to the makers of them; and we suspect that the universal testimony of the profession in our own day would be, that it is utterly useless to read, and utterly impossible to remember, the vast majority of the digests and text-books of which Mr. Best speaks so highly. With a few creditable exceptions, they are mere indexes, consisting of the shortest possible statement of the points decided by particular cases; and every lawyer knows that it is only as indexes that they are of the slightest use, and that it is quite impossible for any one who wishes to do his work properly to trust to their reports of the cases to which they refer. To attempt to get any general or scientific knowledge of law from text-books and digests, is like trying to get a notion of the architecture of a building by looking at the bricks of the wall through a magnifying glass. The necessity of depending upon such helps is quickly degrading the bar from a profession into a trade. The ablest men know no more than where to look for what they want. It is perfectly true that the "mass of authority in English Law is more apparent than real;" but this is an aggravation instead of an alleviation of what is complained of. A man may swim in the water, or may walk on dry ground; but no human energies can cope successfully with mud. An English lawyer has to decide not only upon the meaning, but upon the value of his authorities. Acts of Parliament, cases and text-books, common law and statute law, contradict, explain, jostle, cross, and qualify each other in such extraordinary confusion, that to separate the "apparent" from the "real" authority is constantly a task of the utmost difficulty. Great masses of our law can hardly be said to be either dead or alive, and whilst it is in the process of passing from the one state to the other, the fact may, to a certain extent, diminish the mass of authority; but by that very process, slow and gradual in the extreme, the perplexity of the law is enormously increased.

Another of Mr. Best's objections to codification is of a kindred nature. He says that it is the tendency of written law to be overrun with comments. We shall not stop to consider how far this is peculiar to what Mr. Best understands by written law, or how far the illustrations of the proposition which he draws from the history of the Code Napoleon are correct. But we may observe that, though our own law is uncoded, it is all written, and that, whether from that or from any other cause, it is overrun with comments to such a degree as to be altogether unmanageable. Codifying it can hardly make it worse in this respect. In our opinion, it would greatly improve it. The existing system of reporting is the great cause of the enormous voluminousness of the law. Codification would involve, as matter of necessity, the introduction of a system of a very different kind—a system in which the reporter should be the recognised officer of the Court, instead of a person engaged in a private speculation. If the law were once reduced to anything approaching to a system, it would become far more natural to entrust to the Judges the right of deciding what cases might advantageously be published with the view of supplying deficiencies or clearing up doubtful points.

We will notice only one more of Mr. Best's objections to codification, but it is a most characteristic and instructive one. He says that codification of the common law would lead to codification of constitutional law, but that "the value of paper constitutions is written in blood in the history of almost every nation of Continental Europe," for the "obvious reason that nothing but a customary constitution—one that has its roots in the habits and affections of the people—has much chance of withstanding the attacks of an armed executive." In answer to the objection that Magna Charta, the Petition of Right, the Bill of Rights, and the Habeas Corpus Act are all written laws, he answers that they contain but a small part of the constitution of the country, and were "levelled almost exclusively against abuses in the actual order of things." We do not remember to have ever met with a more unfortunate argument or a more suicidal illustration. The reason why "paper constitutions" have so often failed is, not because they were written,

but because they were not "rooted in the habits and affections of the people" to whom they were given. What little force they may have had was entirely owing to the fact that they were written. Can Mr. Best seriously think that, if the *Charte* of 1815 had been left in an unwritten condition, it would have had a greater hold on the French nation than in fact it had? It would not have lasted a week. The true way of putting the case is, that no custom can possibly last unless it is popular. Mr. Best uses this to prove that, if a custom is put into writing, it loses its popularity. This is much as if, from the fact that none but a strong man can recover from a bad illness, we were to deduce the consequence that, upon his recovery, he would be sure to become weak. Mr. Best's illustrations from English history are, if possible, more unlucky still. That the Bill of Rights was a *pro tanto* codification is perfectly clear; but, says Mr. Best, "it was levelled at abuses in the actual order of things." Is not this the clearest possible proof that the Parliament which passed it considered a written law upon the subject preferable to a custom, because that custom was sure to be matter of dispute and uncertainty? What Mr. Best has to prove is, that the liberty of the subject was put in peril by the Acts to which he refers, inasmuch as they one and all reduced to writing a "customary constitution" which had "its roots in the habits and affections of the people." By the same rule, people ought to lend money without taking a note-of-hand for it, and brokers and merchants ought carefully to eschew dock-warrants and bills of lading.

Our own estimate of the advantages, the possibility, and the importance of codification, differ, not only from those which Mr. Best maintains, but from those which he combats. We feel little doubt that a codified state of the law would be, for all the reasons commonly alleged, infinitely better than that which at present exists; but we also feel that so much of the law requires not only collation but alteration, that to codify it in its present form—and, we may add, in the present condition of legal knowledge—would only be to perpetuate mistakes. There are many preliminary measures which must be effectively carried out before codification can even be hoped for. Not to mention the necessary alterations of the law itself—the consolidation and expurgation of the statute law, the growth of a more scientific system of legal education, and some reform, at least, of the system of reporting, are essential prerequisites to such an undertaking. When, however, by these processes, we have winnowed the enormous heap of statutes, cases, and rules, of which our law consists—and we do not believe it would be possible to find any system which contains an equal amount either of chaff or of good grain—it would, we imagine, be perfectly possible to record, in a not unmanageable bulk, the various principles which lie at the root both of our case and statute law, with such illustrations of their leading applications as would guide the discretion of the Judges in applying them to any given circumstances. Our view of the nature of codification differs from Mr. Best's so widely that we should describe it almost by the very terms which he applies to the common law. We should say that a properly constructed Code, though of necessity expressed in human language, was essentially distinguished from a mere statute book or digest, by consisting almost entirely of principles, and hardly at all of arbitrary enactments, and that it would, therefore, necessarily leave to the Judges a far wider discretion than they at present exercise, in many cases.

It seems to us that, if Mr. Best understood the proposition which he contests, he would see that it only embodies his own views, and that the way to get a 'law of principles' is to extract the principles upon which the present law is founded from the mass of precedents in which they are imbedded, and to embody them in a permanent form. The truth is that our laws are already codified, in a strange and clumsy manner. The Reports and the Statute Book together hold in solution an admirable code, and all we wish is to see it precipitated. Mr. Best will understand us when we refer to the long line of cases upon the subject of the variations which may be imported by parol evidence into a written contract. Why should not the principles upon which they have been decided be disinterred from the thirty or forty volumes over which they are now scattered, and form one or more articles in that chapter of the proposed code which would relate to evidence. "But," asks Mr. Best, "what information would an unprofessional reader get from an article in a code stating that 'the best evidence must be given?'" He would probably get as much as a person altogether ignorant of Latin would obtain from the announcement that "As in presenti perfectum format in avi." Every person moderately well acquainted with the subject must know, that to whatever extent codification may be carried, nothing but serious study can ever enable a man to understand a code. We agree with Mr. Best in regarding the notion that society can ever do without lawyers, or that law can ever be learnt without most serious attention and study, as the wildest of all wild dreams; but though this is quite true, it is no less true that arrangements can be made which will enable a really serious student to obtain a far wider and more scientific knowledge of law than any one has now. Mr. Justice Coleridge, indeed, is of opinion that no one ever read, or could remember, a criminal Code, but that it is enough, for all practical purposes, to read *Russell on Crimes*, and to enter up in it the cases decided by the Court of Criminal Appeal. We can only say that to us

the difference between the two operations is very much like the difference between learning Greek grammar by the help of the *Etop Syntax*, and learning it by reading, without any previous grammatical training, the notes to Porson's four plays of *Euripides*. It is no more possible to state the precise cases in which the reduction of the law to a scientific form would conduce to the better administration of justice, than it is possible to state precisely beforehand the particular improvements which the progress of a scientific study of medicine would confer upon the treatment of disease; but it appears to us little more reasonable to doubt the probability of the one result than of the other.

THE HISTORY AND PRESENT STATE OF AMERICAN COMMON SCHOOLS.

III.

IT is an old remark that the acquaintances we formed in early life give us a more perfect insight into character than those which arise in our maturer years. The ripened judgment of the man is brought to bear on the vivid impressions of youth—impressions themselves derived from the open confidence and unguarded frankness which then characterized the objects of our study. The same thing is in a great measure true in the study of national character. The young life of a nation—what its boys do, and of what kind is their moral growth—are the points which will best repay observation; and the judgments formed on these data will be liable to the fewest mistakes. The connexion which exists between the mind of a people and the leading institutions which mould its growth, will ever be most clearly marked in that class of institutions which exhibit it in the nascent form—viz., in public schools. This is most conspicuous in the busiest and most energetic races, and has been so, in proportion as education was developed, from ancient times. It is not in Great Britain alone that the public school is a microcosm of the republic. The spirit of clique which haunts us through life showed itself first in the playground. So, in the United States, the loose, free tone of equality seems to cry aloud in the common schools—the same tone the hoarser echo of which rises afterwards on the platform and around the ballot-box.

Our last article on this subject sought to convey some idea of the quality of public education in America, as regards the average standard of its moral system. We endeavoured to show how it bases itself on mere expediency, having apparently slipped from the strong ground of conscience on which the rude, but hearty, wisdom of simpler times had entrenched it. But this is not the only weakness which that system reveals. We find our deepest cause of regret, when we sum up the results of American education, in the way in which school managers and secretaries allow themselves even to speak of morals and religion. We have already traced historically the turn of the tide in popular sentiment on this subject, and we now proceed to offer a few further samples, which show how rapid and how wide the declension has become:—"Popular education," says the secretary of the Boston schools, "must embrace, besides the common branches, the cultivation of the manners, of the private and social virtues, and of the religious sentiment. The most perfect development of the mind, no less than the order of the school, and the stability of society, demands a religious education." He here diverges into an encomium on the recognition of this responsibility by the State of Massachusetts, which expands into a eulogy—well deserved, we believe, at least in theory—on "the Constitution and Laws of the Commonwealth." But when we look for the practical rules which are to give effect in the school-room to the wisdom of the fathers of their country, we uniformly find them dwindle down to some such meagre provision as that the day's work shall commence with the reading of Scripture aloud by the teacher, and that "the Board recommend" that the reading be followed by prayer.

Setting aside, however, for the moment the obvious fact that such *pro forma* rules and half-way suggestions really supply a machinery for evading the duty which they ostensibly enforce, what can be less satisfactory than the way in which morals and religion are spoken of in the above extract? The desertion of the solid principle of conscience, which its tone implies, is far more marked than if the subject had been left untouched. Silence is consistent with the profoundest reverence, but light speaking is not. The "religious sentiment," the "social virtues," come in like those gentlemanly extras which swell the total of the half-yearly account from a private academy in England. They are supposed, as one would infer, to give the finishing touch to the character of the perfect citizen, and to raise the nap of civilization on its gossamer surface, instead of being assumed as the foundation of all other perfection, and made the key-note to the harmony of character in which civilization consists. So we read that "instruction in morals shall daily be given in each of the schools," and the teacher is, "on all suitable occasions, to inculcate the principles of truth and virtue." It argues a sadly deteriorated state of public feeling, when men have ceased to see how immeasurably truth and virtue are debased by being thus put in the catalogue of branches of instruction, instead of being regarded as the pervading life and spirit of all education.

It is a not unusual reply to such censures, that the Sunday School fills the gap left in the department of religion and morals, and is thus a sort of tender to the scholastic locomotive. We

cannot now enter on the question how far such an arrangement is wise; but the plea unfortunately involves an ugly question of fact. Mr. Seymour Tremeneere, who has lately published a work on the *Constitution of the United States compared with our own*, enters at some length into the question of American education, and, we think, succeeds in showing that a considerable proportion of children throughout the Union do not frequent a Sunday School at all, or only so very irregularly as to gain no appreciable benefit.

We proceed further to illustrate the *morale* of the system by a few extracts from the simplest class of school books, which formed part of the equipment of a boy about eleven years old:—

Who is he that scorns to do or say anything that is mean and vulgar? I will tell you who he is; he is the manly scholar. (Town's *Spelling Book*, p. 23. Buffalo. 1854).

The following is taken from the close of the last chapter of the *Grammar School Reader*:—

Cultivated intelligence qualifies a man to rise from humble life to influence in the world. . . . Knowledge is the ascending, the expansive element. It fits a man for all the emergencies of life. . . . It is the richest legacy which a parent can confer upon his children. . . . It never takes to itself wings and flies away; it is subject to no decay. It will endure when the world expires, and, if sanctified by the grace of God, it will rise and flourish in perpetual everlasting day.

If you improve your minds, if you love your hearts in the fountain of heavenly truth, you will not disappoint the hopes of the world, you will be capable of doing something for your race. . . . and when you have finished your earthly career, a voice will be heard, saying, "Come up hither, thou good and faithful servant," &c. &c.

Each chapter concludes with some questions for examination on its subject-matter; and accordingly, we find the following amongst those on this chapter:—"What will be the consequence if you improve your minds and hearts?"

We could find much to say on this apotheosis of the intellect—on the sudden leap into the pulpit at the end of it, and the introduction of the "fountain of heavenly truth" to play over the tree of knowledge. But we forbear. It is plain that the tone of the system finds its echo in the books, and that, as in the above extract, the "heart" is dragged in as a mere corollary to the head. Morals and religion sink far into the rear, following the drums and trumpets of the "march" of intellect. We are to "cultivate our intelligence," and "do something for our race;" and this fustian, with the monstrous caricature of something religious at its close, is the food for the mind of Young Columbia.

Now for a more amusing specimen. We have a colloquy among young ladies, and it is headed "Where would you live?" The first speaker would "fain dwell in Italy, that land of poets, around whose brow the fairest flowers twine that played amid the bowers"—here the diction waxes so poetical that it gains rhyme, but loses grammar and sense. . . . "She would stand amidst the magnificent, and recalcitrant bygone days." Catherine "would inhabit Greece—there the Muses loved to dwell—there Plato taught and Homer sung;" while Harriet scornfully inquires whether "the glory of Greece" has not "departed, like a summer cloud?" and "sighs to dwell with the Swiss in his mountain home." Louisa is a young lady of unsafe tendencies. She "can in this wide world discover no sunny spot where she would reside, and would have for her home some bright star in the neighbourhood of a wandering meteor, and feast on the wild dreams of fancy." Adaline would be content, on the contrary, with "some green island, encircled by the blue sea"—she does not say which, but no doubt Ireland is intended. What a breezy ode the late Thomas Moore, Esquire, would have addressed "to Adaline!" Sarah—a strong-minded woman of the world, we suspect, but not the correct type, surely, for an educational work—hereupon exclaims, "I care not for your murmuring rivulets and spicy groves. . . . I would dwell in Paris; I would mingle with the gay, polite, and fashionable. . . . would throng the public gardens and walks." We pause to ask, whether Modesty or Lindley Murray would be more shocked by a young female thus shamelessly appearing as a noun of multitude, and "thriving," in her single person, the Corinthian capital of modern Europe? Mary comes in as a foil to Sarah, but is weak enough to prefer "a quiet life, and a home in England"—in short, "one of those beautiful little cottages of which she has often read." But in Ellen we have the Chorus, or moral personified, who snubs the rest of the sisterhood, one and all. Before her, those historical celebrities, the Muses, Plato, and Homer, sink like demons through the traps in a pantomime. Down go Harriet's Swiss mountain and Adaline's green island, and even Louisa's comet is snuffed out before the more potent constellation of the Stripes and Stars. The stage direction here ought to be, "Thunder and lightning—enter the American Eagle." For Ellen, it appears, knows a land "where the blighting influence of a tyrant has never been experienced—where man has never shrunk in obsequiousness from the frown of man. What," continues the fair but impassioned champion, "though we boast of no vine-clad shores, like the sunny region of poetic song—no fairy-land of the rose and the myrtle. . . . here content and prosperity are spread abroad. . . . What though it boast no classic fields, no pomp of heraldry, no succession of kings—we can turn to a history bright with deeds of lofty heroism and of pure and spotless excellence." *Finale*, a magnificent *tableau*—in the centre, "Washington, the father of his country and friend of man"—certain falls to a grand chorus of "America, glorious America!"

This, however, is not all. From stilts to bladders is an easy progress—from such prose as the foregoing we naturally pass to

the sort of poetry of which the following is a sample. From some stanzas addressed to Columbia by Timothy Dwight, we extract the second and fourth:—

To conquest and slaughter let Europe aspire,
Whelm nations in blood, and wrap cities in fire;
Thy heroes the rights of mankind shall defend,
And triumph pursue them, and glory attend.

Patriotism, the "last refuge of a scoundrel," is the first virtue sought to be inculcated in America. Here, verily, is milk for babes—"conquest and slaughter," "triumph and glory." By way of relief, the poet presently proceeds as follows:—

To thee, the last refuge of virtue designed,
Shall fly from all nations the best of mankind;
Here, grateful to heaven, with transport shall bring
Their incense, more fragrant than odours of spring.

We are able now to watch the experiment at work, and see the incense ascending; and when we remember the earlier effort of Romulus, who "opened an asylum," but did not boast of having caught exactly "the best of mankind," the difference between them and the worst seems less considerable as measured by results, than, for human nature's sake, we might have hoped.

After this, it is curious, in another schoolbook (*Youth's Manual of Geography*. New York. 1854), to find America personified, in an illustration of the four Continents to face the title-page, as a copper-coloured savage in blanket and moccasins, whilst Europe hides her aspirations after "conquest and slaughter" under a gentlemanly exterior adorned with a white waistcoat. Such a commencement might have led us to expect a less lame and impotent sequel. We actually find that 107 pages are devoted to the copper-coloured savage, including a synopsis of his constitution, with the declaration of his independence drawn and signed at full length, the interpretation of his Stars and Stripes, &c., and only 15 to the gentleman in the white waistcoat, whilst their two companions have but 14 between them. The style of this book is succinct, though its matter is disconnected. It runs a railway of question and answer across all sorts of subjects. The following examples are not taken connectedly; but they suffer little from being disjoined from their context:

Q. For what is Cincinnati famous? A. Cincinnati is the greatest pork-market in the world.—Q. For what is Kentucky noted? A. For great caves.—Q. What was Mexico found to contain? A. Great quantities of silver.—Q. What grow in Mexico? A. Oranges, figs, and lemons.—Q. For what is Central America noted? A. For numerous volcanoes and terrific earthquakes.—Q. What does one of the volcanoes send forth? A. Great quantities of water.

All this is probably correct; but we really did not expect, after the laudation of "knowledge" above quoted, to find the following stated as historical fact:—

Q. How did the Greeks live at first? A. In caves and hollow trees, and subsisting on roots, herbs, and acorns.—Q. Who came to Greece while the inhabitants lived in this manner? A. People from Egypt, who taught them to build houses and cities.

Soon after we have a catechism on Napoleon Bonaparte, illustrated with a view of Westminster Abbey; and, a few pages further, one on Spain, suitably adorned with the familiar interior of the Thames Tunnel, and concluding with the very practical question, "What do we get from Spain?" The answer, however, is not yet "Cuba."

We pass to what should be a drier branch of scholastic pursuits—viz., arithmetic; but the muse of the republican school-room disdains the nude and rigid form of science common amongst ourselves. We own we prefer such a close and businesslike manual as that of Colenso to the bulky and pretentious volume of *National Arithmetic on the Inductive System, combining the Analytic and Synthetic Methods*, by Benjamin Greenleaf, A.M., Boston. The book is swollen with needless contents. There are all sorts of weights and measures, from the cubit of Noah to the metrological standard of John Quincy Adams. We have also seen a treatise on the subject of spelling and reading, which, like the former, is a masterpiece of the art of making simple things complex, and easy ones hard. We allude to Town's *Spelling Book*, which is "believed [by Mr. Town] to be the first school-book for children ever published in which the principle as to the arrangement of synonymous definers was adopted and carried throughout the entire work." We are not prepared to dispute the claim, but the work has other merits of a novel character, at least to ourselves—for instance, a system of marks resembling the Hebrew vowel points, with which Mr. Town, or some one else, has embroidered orthography. P, T, K, and S, appear to be "aspirates." We cannot presume to say what Yankee organs may make of them; and when, after fifteen pages of prolegomena and exegesis, we are at last introduced to the alphabet, we feel as elated as M. Jourdain when told that he had been all his life uttering prose without knowing it. To return, however, from Mr. Town to Mr. Greenleaf—we are amused at the way in which a judicious appearance of religious sympathies clings to the hard science of figures. There is a godly tone about some of the problems which might almost make arithmetic an edifying subject for a Sunday School. Thus:—"Mary Brown had \$17.87½; half this sum was given to the Missionary Society, and three-fifths of the remainder to the Bible Society—how much had she left?" Another question turns on the estate of James Page, "of which he gave two-sevenths to the Seamen's Society, and one-third of the remainder to his good minister." A few

pages further, how stern is the morality implied in the question—"If a sportsman spends one-third of his time in smoking, one-fourth in gunning, two hours a-day in loafing, and six hours in eating and drinking and sleeping, how much remains for useful purposes?"

Regarded simply as school-books, we see nothing to covet in the foregoing samples; and where works of a higher grade are required, we find that our old friends, Liddell and Scott's *Lexicon*, Smith's *Dictionary of Antiquities*, and Arnold's *Greek Prose Exercises*—all probably pirated—are the standard authorities. In none that we have seen of native growth, do we observe that clear neat touch of the subject with a needle's point which marks the best elementary text books of our own country. And there is a frothiness of style which, offensive everywhere, begets a real loathing in works of this kind. We have glanced over their pages with a mixed feeling of amusement and amazement. We feel that we have in them the key to some of the extravagances of the American character, and we shall be less easily puzzled in future at the moral grimaces which it displays. Where children are trained and nurtured in bombast, and where religion is called in, in nursery rhymes, to give an unction to rant, men cannot choose but swagger.

To turn, however, to a branch of the general subject more nearly touching ourselves—we find a legal provision made in some States, for "children proved to be growing up in truancy without the benefit of the education provided for them by law." Such children are to be placed in educational or reformatory institutions, at the discretion of Justices of the Peace, "for the periods of times as (sic) they may judge expedient." But the extent to which such a law is enforced, and not its mere existence in the statute-book, can alone really indicate the progress of the struggle between civilized society and its vagrants.

School material—the stock and plant of the intellectual workshop—seems to be a point in which the common schools are really strong; and in this respect they deserve imitation. They abound, too, in appliances for keeping a learner's attention fixed, and exercising his imagination. There are, moreover, some valuable methods of drawing together teachers in institutes, or otherwise, for mutual improvement; but it is singular that in only one of the numerous school reports which have reached us, is there any mention of a playground. This curiously illustrates a remark which we have lately seen concerning the absence of a childish character in American children, and their precocity of manhood. Are our Western kinsmen becoming a young people old at heart? Have they no time left for youth in the feverish race of existence? Or are we to suppose that, though all work and no play has the usual effect on Jack, the native 'cuteness of his Brother Jonathan is proof against it?

REVIEWS.

THE NORTH-WEST PASSAGE.*

THIS is one of the books which form part of the nation's title-deeds to greatness. It commemorates the achievement of one of the grandest exploits on record. Sir Robert M'Clure and his crew were the first men who ever passed from the Pacific to the Atlantic—thus solving a problem of nearly three centuries' standing. From 1576 to 1854 the feat remained, in the words of Martin Frobisher, the first explorer, "a thing yet undone, whereby a notable mind might be made famous and fortunate." Captain M'Clure's narrative, edited by one who himself served in the Arctic regions with distinguished honour, may well take its place by the side of the stories of the pious and gallant men who, quite as noble as they, navigated in the days of Elizabeth and James.

The *Enterprise* under Captain Collinson, and the *Investigator* under Captain M'Clure, were put into commission in the winter of 1849-50, with orders to search for Sir John Franklin on the side of Behring's Straits, making their way to the eastward. They left England on the 30th of January, 1850. The *Investigator* was a ship of 400 tons burden, built like a fortification, for in some places there were no less than twenty-nine inches of solid timber on her bow and stern. She was heavily rigged and deeply laden, having her decks crowded with casks, sledges, ice triangles, ice saws, and the crew's nest for observation from the mast-head. Well fitted as these preparations were for the special service for which the *Investigator* was destined, they were little calculated to increase her speed. It was not till the 1st of July that the *Investigator* anchored, after upwards of five months' voyage, off Honolulu, in the Sandwich Islands. The *Enterprise* had already passed this station, and Captain M'Clure was so anxious to rejoin his commander that he revictualled his ship and set sail for the Arctic Ocean in three days. In about sixty days from the time of leaving Honolulu, the season might be expected to close in; and he therefore determined, with a prudent boldness highly characteristic of him, to run straight to the northward through the Aleutian islands, instead of taking the

* *The Discovery of the North-west Passage*, by H.M.S. *Investigator*, Capt. R. Le M. M'Clure, 1850. '51, '52, '53, '54. Edited by Commander Sherard Osborn, Author of "Stray Leaves from an Arctic Journal." From the Life and Journal of Capt. M'Clure. Illustrated by Commander S. Garney Cresswell, R.N. London: Longmans. 1856.

usual course, which lies first N.W. to the Asiatic coast, and then along the shore to the N.E. Though the course which was thus chosen was considerably shorter than the ordinary one, it was extremely dangerous. The ship made rapid progress before strong and fair winds; but when she got amongst the islands she was enveloped in fogs so dense that several sea birds, such as the little auk, actually struck against the rigging without seeing it, and fell on the deck. Yet, notwithstanding the fog, Captain McClure pressed on with as much sail as the ship could bear. Once or twice he got bearings of prominent headlands, which enabled him to shape his course; but, generally speaking, the ship drove on, the sea breaking into her channels, with not more than twenty fathoms of water, and across strong and unknown currents, running at times like the races of Alderney or Portland, with such a noise that "you could not hear what was said without great vocal exertion." By the end of July, these dangers were surmounted, and the Arctic circle was crossed. Shortly afterwards, the *Investigator* fell in with the *Plover*, stationed as a depot ship at the north of Behring's Straits, and soon after with her tender, the *Herald*. She parted from this ship at the end of July, 1850, and for two years and eight months from that time the crew of the *Investigator* saw not a single human being besides each other, with the exception of a few Esquimaux.

On the 2nd of August, they fell in with the ice. It was covered with immense herds of walrus, and a gun was loaded with grape and canister to shoot some of them; but the cubs and their mothers played together so affectionately, that the soft-hearted captain could not find it in his heart to fire. Some of these creatures weighed nearly two tons, and depressed the ice on which they lay as much as two feet. On the 5th of August, the *Investigator* rounded Point Barrow, the North-west extremity of the American continent, and began to steer to the eastward, being the first ship that ever accomplished that feat. The region which now lay before them is, in its geographical conformation, one of the strangest parts of the globe. Behring's Straits on the West, and Davis's Straits on the East, open into the Arctic Ocean and Baffin's Bay respectively. These great bodies of water are separated from each other by an immense archipelago, threaded by sounds, inlets, straits, and bays innumerable. The broad features of this remarkable region may be made intelligible by a very familiar illustration. It is traversed by three passages, occasionally branching out into large land-locked bodies of water. They may be compared to the three great lines of road which cross London from West to East—the New-road, Oxford-street, and the Strand. The northernmost of these passages is laid down very distinctly in the excellent map prefixed to Commander Osborn's book, but has never, we believe, been traversed. The central one—the Arctic Oxford-street—is that through which Captain McClure succeeded in making his way; and the southernmost, which we have compared to the Strand, is that into which Captain Collinson penetrated to an extraordinary distance in the *Enterprise*, and in which, as it now seems most probable, Sir John Franklin's crews perished. Confining our attention for the present to the central passage, its principal localities from West to East may be described somewhat as follows. Banks's Land, Barrow Strait, and Melville Island may be considered as occupying respectively the relative positions of Hyde-park, Oxford-street, and Tyburnia. Beyond Banks's Land lies a large island of very irregular form. It has no collective name; but different parts of it have been named Prince Albert Land, Prince of Wales's Land, Wollaston Land, and Victoria Land. It is separated from Banks's Land by a narrow strait, named after the Prince of Wales, and it occupies, relatively to Banks's Land, the position which the district between Regent-street and Park-lane occupies relatively to Hyde-park. The Prince of Wales's Strait may be compared to Park-lane. To the North of this large island lies a great land-locked water, called Melville Sound, on the North of which are Melville and Cornwallis Islands. Melville Sound communicates at its eastern extremity with Lancaster Sound, and Lancaster Sound with Baffin's Bay, very much as Holborn communicates with the streets near the Post Office, by Newgate-street and its continuations. Melville Sound had been explored by Sir E. Parry as early as 1820; and the state of things at the time of Captain McClure's expedition may be represented by supposing that the route through Oxford-street, from East to West, had been ascertained as far as the bottom of Orchard-street, which leads into Portman-square, and that some one had been sent to Kensington Church on the other side, to see whether it was not possible to reach the same point by the West and North, or by the South and East of Hyde-park.

The only chance open to the explorers of making their way from Cape Barrow to Melville Island lay in following what is called in the Arctic regions the land-water. When the heavy fields of ice approach within a certain distance of the coast, they ground, owing to their enormous draught of water; and between the shore and the place at which the ice takes the ground, a lane of water intervenes—sometimes only a few yards, sometimes miles in width—and even this narrow passage is encumbered with stray masses of ice, "so dense and heavy in their nature as to cause the vessel to tremble in every timber whenever she unavoidably struck any of them." The *Investigator* and her crew worked their way along the landwater, having endless fields of ice on their left, and the vast plain in which the American conti-

nent here terminates on their right. The soil is a dark blue clay, but it abounds with moss, grass, and flowers, and is broken here and there by fine sheets of water. Many large herds of reindeer were observed in the neighbourhood. The depth of the sea was so uniform that, after a little time, the ship was steered through various fogs simply by soundings. She stood in till she came to three, and stood out till she came to six, fathoms. On the 13th of August, the unusual phenomenon of a thunder-storm occurred—on the 17th, the surface of the land-water itself was covered with thin ice—on the 24th, they passed the mouth of the Mackenzie river, whence they continued to make their way along the coast until they reached Cape Bathurst—the last headland on the American shore before the commencement of the southernmost of the three passages through the Arctic Archipelago. Here they fell in with some Esquimaux, of whom they made various inquiries about the ocean to the northwards—getting, however, no more satisfactory answer than that it was "the land of the White Bear." From this point they struck across to the North, and reached the southern extremity of Banks's Land. Following up a deep opening in it, they found themselves at length in what they supposed to be a strait, which, by observation, could not be more than sixty miles distant from other waters already explored from the West, and which would therefore, if it continued, complete the long-sought North-West Passage. Captain McClure's journal describes his feelings at this moment as anxious in the extreme. There is something very noble in the expression which they found, under circumstances which put all thought of display or cant out of the question:—

Can it be that so humble a creature as I am will be permitted to perform what has baffled the talented and wise for hundreds of years. But all praise be ascribed unto Him who has conducted so far in safety! His ways are not our ways, or the means that he uses to accomplish His ends within our comprehension. The wisdom of the world is foolishness with Him.

The conjecture of the explorers as to the nature of the inlet in which they found themselves was perfectly correct. They had added the last link of the chain so laboriously constructed; but before they could verify the fact, they had to undergo the most terrible dangers. Before the middle of September, the *Investigator* was completely beset—and that not in a harbour, but in a narrow strait, with strong currents and westerly winds driving the ice and the ship together upon a lee shore; and their only safeguard was a huge floe, which, drawing more water than the ship, grounded before her, and formed a kind of natural dock. By dint of great labour, and by watching for opportunities, the ship was gradually hauled twelve hundred yards farther off shore; but she was still in the midst of the pack, or field of broken ice, the extremities of which were continually dashed by the united force of the wind and sea on the dark cliffs which bounded the strait—holding out to the explorers a certain prospect of being instantly overwhelmed and ground to powder if the ship should take the ground before the ice. On the 15th of September, the wind changed, and the ice opened to a certain extent; and day and night the men laboured to work the ship to the northward, "leaping and carrying the hawsers from piece to piece of ice, trusting to its white glimmer to see their road and secure a footing." Thus they drifted along "in a churning sea of ice amidst darkness and snow storm," until they were within thirty miles of the middle line of strait of which we have spoken. At this tantalizing distance the ship ceased to drift. It now became a question whether the *Investigator* should attempt to retrace her course to the southward, or winter in the pack. Captain McClure chose the latter alternative—a proof of courage such as hardly any man, even of his own profession, has ever given. To winter in the pack had been considered by the greatest Arctic authorities equivalent to certain destruction, and Captain McClure's description of what he went through seems to justify the opinion:—

Sometimes a pressure would take place upon the opposite sides of the body of ice, the sheets of young ice would crack across, and one part overrun the other with a sharp chirping noise. At another time some huge field of ice, which from its great depth was much more acted upon by the tides and currents than its neighbours, would rush with fearful velocity through the lighter ice, turning up everything that came in its way, and giving rise to fears lest such a moving field should touch and sink the ship.

At another time, the whole pack, and the ship with it, drifted bodily on to the cliffs of a small island in the middle of the strait. The cliffs rose sheer out of the water to a height of 400 feet, and the wind, tide, and ice pressure set her right upon them. The crew stood to their work with the most thorough-bred indifference. As two of them were coiling down a hawser with due neatness, one said, "It is a bad job this time." "Yes," said the other, quietly, "the old craft will double up like an old basket when she gets alongside of them rocks." When within 500 yards of the cliffs, "the ice coachwheeled her along them," and they passed in safety. By degrees the ship settled down as the pack consolidated itself; but she underwent several severe "nips," which strained every joint of every timber. "The crashing, creaking, and straining," wrote Captain McClure, "is beyond description, and the officer of the watch, when speaking to me, is obliged to put his mouth close to my ear on account of the deafening noise;" and yet, with all these terrors, in the midst of eternal ice, and hundreds of miles from any human being, except perhaps some miserable Esquimaux, the sailors danced, sang, acted plays, laughed and joked as naturally and as heartily as if they had been at home. The usual preparations for an Arctic winter were

made; and when the ice was sufficiently consolidated, sledge parties were sent out in various directions to search for Sir John Franklin, and to make explorations. One of these was commanded by Captain McClure himself. It consisted of one officer and six men, who had to drag a weight of about 1200 lbs. between them. In some places, the snow had weighed down the ice, until the sea-water, filtering into it over the top of the floe, had rendered the surface as stiff as mud. No water was to be had, for the snow only parched the mouth, and the only refreshment of the party on halting was as much melted snow as their allowance of fuel would thaw, and a little frozen pemmican. In the evening the men lay down in bags provided for the purpose, and the captain read them all to sleep with a story out of *Chambers's Miscellany*. After six days of this work, they reached, on the evening of the 26th of October, a headland which overlooked Barrow Straits and Melville Sound, and thus completed the great discovery of their voyage. The exact nature of their exploit may, perhaps, be best understood by recurring to our former illustration. If we suppose the whole of the entrance to London by Oxford-street, west of the Marble Arch, to have been quite unknown—and the entrance by way of Kensington and Knightsbridge to have been known only at a few isolated points reached by the streets leading northwards from Chelsea—Captain McClure's feat would be exactly parallel to that of a person who should drive for the first time through Kensington and Knightsbridge, and halfway up Park-lane, and then make his way on foot to the Marble Arch. And his position during the following year would be described by saying that, being unable to bring his carriage through the upper part of Park-lane, he went round Hyde Park, and attempted to reach the Marble Arch from the west by Oxford-Street—failing, however, to get further than the bottom of Stanhope-place, and being a second time obliged to complete his round on foot.

From Mount Observation, as they named the headland from which the discovery had been made, the party returned to their ship, which they reached on the 31st of October. On the last night of their absence, Captain McClure pushed on in advance of his men, missed his way, and had to spend on the ice a night of thirteen hours without fire or arms, with the thermometer at 15° below zero, and in the neighbourhood of various prowling bears. He reached the ship, however, next morning, without serious inconvenience. When the sledge returned, its cargo weighed upwards of one hundred pounds more than on its departure, as the ice had accumulated upon every article it contained. Such had been the fatigues of the expedition that eight men had only consumed eighteen pounds of pemmican, thirty-one pounds of biscuit, and two pounds of oatmeal, in nine days. They had been too tired to care for anything but water. The winter following passed as Arctic winters usually do, but in the spring exploring parties were sent out to look for the missing ships. The various parties from different ships seem, by Commander Osborn's account, to have embraced very nearly the whole of the Arctic archipelago; but, unfortunately, Dr. Rae's discoveries have proved that Franklin's crews occupied a position forming a common centre to which two expeditions approached, though neither reached it.

The *Investigator* remained in the Prince of Wales's Strait throughout the whole of the winter, and the following spring and summer, and did not leave her berth in the ice till the middle of August, 1851, when she turned to the southward, with the view of passing round Banks's Land by the west and north. For 800 miles no ice was encountered; but suddenly she came upon a bare cliff, 400 feet high, and descending sheer down into water 90 feet deep. There was consequently small hope of the ice grounding before reaching the cliffs, so that, if it should set in that direction, the ship would infallibly be destroyed. The open space of water was but about 200 yards wide, and every moment of progress was full of the most fearful risks. On one occasion, the ship was moored to a huge mass of ice, which was struck by a moving floe with such force that "the mass slowly reared itself on its edge, close to the ship's bows, until the upper part was higher than the foreyard." . . . "The ice had but to topple over to sink her and her crew." Happily it fell back the other way, but immediately afterwards it was driven on the land with irresistible force, carrying the ship with it. She was "nipped" between two bergs, and though the second broke up at the right moment, so closely was she beset that there was not room to drop a lead-line round the vessel, and the copper was hanging from her bottom in shreds, or rolled up like brown paper. At this time they were on the north-west extremity of Banks's Land, and were detained there for nearly a fortnight; but suddenly a south wind sprang up, and drove them off into the pack in a perfectly helpless condition. Captain McClure's diary for this day notices the occurrence thus:—"Thus we launch into this formidable frozen sea—*Spes mea in Deo*." By the use of enormous charges of gunpowder, the ship was disembedded from the ice, and enabled to make her way along the sea in frightful danger; for "the wind slackened, and the pack again rolled along the coast, pivoting upon the grounded pieces, and threatened, as it pulverised, or threw masses of thirty or forty feet thick high up on the beach, or a-top of one another, to occasion a like catastrophe to their frail bark. Through the long dark night, the sullen grinding of the moving pack, and the loud report made by some huge mass of ice which burst under the pressure, boomed through the solitude; and as the starlight glimmered

over the wild scene to seaward, the men could just detect the pack rearing and rolling over by the alternate reflected lights and shadows." Two days afterwards they entered Barrow's Strait from the westward, being the first crew that ever achieved that exploit; and on the 23rd of September they reached a bay which they called Mercy Bay, and in which they determined to winter.

The rations of the crew were now reduced by one-third; but, most happily for them, the land was found to abound in game, and indeed their experience did not confirm the common opinion of the universal migration to the southwards of the animal world during an Arctic winter. Hares, deer, wolves, and occasionally musk oxen, visited them, and the season wore on not unpleasantly. Christmas-day was passed with its usual festivity, and the abundance of game kept the men employed and amused. In the spring, Captain McClure made a sledge excursion across the ice, and actually crossed the track of a party on the same errand from one of the ships exploring from the side of Baffin's Bay, but without meeting them. As spring advanced, the length of service and the want of fresh vegetables began to tell upon the crew. Six men were laid up with scurvy, and sixteen more showed symptoms of its approach; but the ice held the ship unrelentingly in its place.

When the third winter—that of 1852-3—set in, seventeen men were on the sick list, and provisions were running low, for the duties of the ship prevented the healthy part of the crew from getting game. Nevertheless, the third Christmas-day was kept cheerfully and bravely. In the midst of all their privations—which had apparently less prospect than ever of terminating happily—the men still wrote songs, drew caricatures, and acted plays; and their gallant leader closed his journal for the year with the words, "I cannot but feel, as the wife of Manoah did, if the Lord were pleased to kill us, he would not have shown us all these mercies." The hardy sailor's trust in God prompted him to the strictest discharge of his own duties. He determined to despatch half of his crew, in two parties of fifteen each, to Greenland and the Hudson Bay Company's posts respectively, whilst he with the remaining thirty stayed to pass a fourth winter in the ice. A week was wanting to the day fixed for the departure of the men, when the first death took place. Captain McClure was walking on the ice with the first lieutenant, discussing the subject of the funeral, when a figure was seen approaching them, wildly shouting and gesticulating; and at last the eager listeners distinguished the words, "I'm Lieutenant Pim, late of the *Herald*, and now in the *Resolute*. Captain Kellett is in her at Deal Island." In truth, relief was at hand. The crew made their way to another ship, which had gained a point at no great distance from them, and they reached England by the Atlantic on the 28th of September, 1854. Before quitting the *Investigator*, she was surveyed, and the impossibility of extricating her being universally recognised, the men to whom she had so long been a home hoisted her colours to the mast-head. It may well be doubted whether the union-jack ever waved over a scene dignified by more resolute and enduring courage. The whole story is to the last degree grand and noble, and it suffers nothing in the hand of its narrator. Of Captain McClure's conduct we can give no more worthy illustration than is conveyed by an extract from the despatch which he intended to send home by Captain Kellett, in the event of its being considered possible for him to spend another winter in the ice. After mentioning the place at which information of his movements might be expected, he proceeds:—

If, however, no intimation be found of our having been there, it may at once be surmised that some fatal catastrophe has happened, either from our being carried into the Polar Sea, or smashed in Barrow's Strait, and no survivors left. If such be the case—which, however, I will not anticipate—it will then be quite unnecessary to penetrate further to the westward for our relief, as, by the period that any vessel could reach that port, we must, for want of provisions, all have perished. In such a case, I would submit that the officer may be directed to return, and by no means incur the danger of losing other lives in quest of those who will then be no more.

If, during the late war, our navy had few opportunities for performing brilliant achievements, we may console ourselves by the reflection that one exploit, at any rate, was performed by British seamen, which neither Nelson nor Collingwood has excelled. The moral grandeur and unaffected simplicity of the sentences we have quoted seem to us nobler even than the admonition to the traveller passing by Thermopylæ to tell the Lacedæmonians that their countrymen lay there in obedience to their laws.

THE GRANDE-JOURS OF AUVERGNE.*

FLECHIER, afterwards Bishop of Nîmes, attended the sittings of the Grands-Jours, held at Clermont in Auvergne, in the year 1665. He was there as tutor in the family of M. de Caumartin, the holder of the Royal seals, and the most direct representative of the Royal authority in this tribunal. The earlier history of the Grands-Jours is involved in obscurity; but, after the monarchy of France was established in its complete authority, they were in the nature of extraordinary commissions sent by the Sovereign to inquire into the lawless conduct of the feudal nobility. Whenever reports of violence and oppression on the part of the nobles in any particular province became serious and in-

* *Les Grands-Jours d'Auvergne*. Par Fléclier. Deuxième Edition. Paris. 1856.

cessant, the Grands-Jours were directed to hold a visitation. Fléchier's record of the proceedings of the Court held at Clermont shows both the anarchy and confusion prevailing in a province remote, like Auvergne, from the supervision of the central authority, and also the terror which that authority inspired, when, by any unusual effort, it brought its machinery to bear. The manners, or at least the worst portion of the manners of the Middle Ages, are seen here reflected in a mirror whose truth is unimpeachable; and they are found prevailing at a time when the Middle Ages would commonly be said to have long passed away. The chroniclers of the fifteenth century speak in general terms of the rapine, the bloodthirstiness, and the shamelessness of their contemporaries. Deeds of violence were too familiar to them to be impressive, and it is only some eccentric or outrageous act of cruelty that provokes them into an anecdote or a comment. But Fléchier brought the humanity, the love of refinement, and the literary taste of a modern Parisian to the contemplation of scenes which were as alien to his ideas as to ours. We have, therefore, in his lively and entertaining work, the nearest approach to the mode in which we ourselves should have viewed and described the aspect of an English county harried, plundered, and trodden underfoot by the rebellious barons of Henry III. or Edward II. We have also in this book a glimpse into the state of society which lay beneath the glittering uniformity of the French monarchy. In these feudal excesses, protracted beyond the age of feudalism, we see the material ripening and festering for the great outburst which, a little more than a century afterwards, swept away the remains of the feudal system with such a rude and overwhelming shock. No historical inquiry is more prolific of interest and instruction than that which attempts to ascertain the causes or the conditions which made feudalism linger in France so much longer than in England. It is this difference—a difference, as we may term it, of time—which has so powerfully affected the destiny of each nation. France at this hour is suffering under the evils incidental to the perpetuation of an institution long after its vitality and use are over. Fléchier's picture of Auvergne is the picture of a feudal province where all the good side of feudalism has become wholly extinct. Interpreted by what we know of subsequent events—by the frantic but hitherto unavailing efforts of France to recover what she lost, and to repair the injury she received from the prolonged burthen of decaying feudalism—this picture has an almost terrible significance, and shows the extreme difficulty with which even the greatest and most powerful nations can avoid the consequences of their errors.

The Grands-Jours of Auvergne did their work speedily and effectually. The Court was composed of sixteen members, and a president, M. de Novion; but the real weight of duty lay with the public prosecutor, M. Denis Talon, a sharp, indefatigable, and resolute lawyer. In a great number of instances, the nobles who supposed themselves in danger sought refuge in the neighbouring mountains, and were then condemned in their absence. They were beheaded in effigy, their castles razed, and their estates subjected to a heavy fine. At an early period of the sittings of the Court, one of the principal members of the nobility, the Vicomte de la Mothe de Canillac, was brought before the tribunal, and was executed, although his crime was comparatively a very slight one. This severity produced the intended effect; for if so great a man could be executed for a small offence, what had less men, who were greater offenders, to expect? The number of capital punishments actually inflicted does not appear to have been very great, and the rigour of the law fell chiefly on persons of humble station; for those who could procure the means of escape took care to get out of the way. The Court was thus able to finish much more work in the time allowed for its sitting than if the trials of all the accused had been regularly conducted; and the ease with which the strongholds of the nobility were razed in their absence proved, probably, of more permanent advantage to the province than could have accrued from the forfeit of a greater number of lives. Fléchier collected, partly from the deposition of complainants, partly from local gossip, the history of many of the principal offenders, and it is from the short but telling descriptions which he gives of one criminal after another that we gradually form some notion of the state of a province in which they had long reigned supreme. The multiplicity of offences—all of the same kind, and of nearly the same atrocity—is perhaps more impressive than the enormity of the crimes imputed to any one offender. We may, however, form some estimate of the whole from the parts, and a sketch of the history of one or two among these nobles of Auvergne may serve better than anything else to convey a notion of the matter to be found in Fléchier's book.

The pre-eminence in guilt is assigned to the Marquis de Canillac. He is described as *le plus grand et le plus vieux pecheur de la province*. For sixty years he enjoyed the reputation of his villany, and unfortunately the Grands-Jours did not put an end to his career. He was said to have exhausted every device by which tyranny could screw a sou out of his miserable dependents. Besides the king's taxes, the poor wretches had to pay the dues belonging to the lord, and those belonging to his wife and to each of his children. Other lords made extraordinary exactions on special occasions, but the marquis did every year what his neighbours did once in a lifetime.

He kept in his castle a band of a dozen ruffians, whom he called his apostles, and whose particular business it was to bully and harass the occupiers over whose lands his rights extended. He instructed these myrmidons to levy a tax on all articles of common consumption, and, finding that the peasants ate less to avoid the tax, he imposed a tax on not eating—one of the most aggravating, perhaps, which human nature could be called on to endure. His crimes had already provoked the investigation of the Parliament of Toulouse, which had condemned him to death, but, being unable to arrest him, beheaded him in effigy. The marquis assisted at a ceremony that could not fail to interest him, and calmly watched his own capital punishment from the window of a neighbouring house. He was condemned by the Grands-Jours to pay a very heavy fine, his personal effects were confiscated, and two or three of his strongholds were levelled with the ground.

Another offender of note was M. d'Espinchal. He had in youth been the most charming man of the province, and his station and wealth made him one of the best matches. He accordingly secured a young lady of corresponding beauty and endowments. He was not, however, a faithful husband. As the future bishop describes it—"Après que les premières douceurs que le sacrement et la nouveauté inspirent furent passées, il ne se contenta pas d'avoir une femme." One of his mistresses, in order to avenge some slight put upon her, informed him that his wife was intriguing with a page. He believed the tale, and after severe pangs of jealousy, determined to end his wife's treachery by offering her the choice between shooting and poisoning herself. The lady chose the slower death, in order, as she affectionately remarked, to be longer with him. She swallowed the poison, but fortunately a servant observed the state into which it threw her, and ran for a physician, who saved her life. The unfortunate page, after undergoing a disgraceful mutilation, was strapped to a plank and left to die. The story made some noise, and the relations of the lady demanded her back from her tyrant. At first she refused to quit him, but subsequent outrages forced her to retire into a convent. Her absence made her loss felt, and her husband came to the grille to persuade her to return. The conference seemed likely to end in her submission, when, unfortunately, d'Espinchal took out his watch. His wife, remembering his old habits, thought he was taking out a pistol, and rapidly retreated.

After committing several outrages against public order, d'Espinchal was condemned to death by a local tribunal. He sought refuge in Paris, and secured a retreat in the hotel of M. de Guise. He was not long content with a state of innocent repose. One of his provincial intrigues had ended in a quarrel with his mistress, who had accepted the advances of a new lover. D'Espinchal discovered the offender, and insulted and ill-treated him in every possible way. It was in vain that the victim appealed for protection to the judges of the local tribunals, for they thought D'Espinchal far too great a man to be meddled with; and so at last he determined to lay his case before the King himself. He employed his brother to manage this for him, and a short time after d'Espinchal arrived in Paris, this brother obtained an audience of Louis XIV., who heard him with apparent favour and kindness. To his surprise, on quitting the palace, he was arrested by a body of sergeants, and hurried off in a carriage. In one of his captors he recognised a servant of d'Espinchal, and immediately cried out for assistance. But on his escort explaining that he was a great criminal arrested by order of the King, no one dared to interfere. The same explanation satisfied a body of soldiers stationed in one of the suburbs, but, after the carriage had passed, one of them suspected that all was not right, and the trick was discovered; and this insolent contempt of the royal authority, being traced to d'Espinchal, was a chief cause of the King determining to send the commissioners of the Grands-Jours into Auvergne. Finding himself in danger at Paris, d'Espinchal returned to his native province, and actually went to Riom, the seat of the local tribunal that had already pronounced a sentence of death against him. He presented himself to the members of the court that had condemned him, and, showing them a little box, told them that the King had graciously given him a letter of pardon, and that he could not rest satisfied without showing the persons who had condemned him that he was absolved. Accordingly he proposed to do himself the pleasure of submitting the letter to them the following morning. He then rode away, and sent the box to the judges, who, to their surprise, found it empty. D'Espinchal retired into the mountains, and amused himself during the sitting of the Grands-Jours with mocking the efforts of the police to catch him.

Such stories as these may be taken as representing a long series of others nearly similar. Fléchier's book is a rich mine of anecdote, and good stories lose nothing in his hands for want of a good story-teller. Many of the most piquant of his narratives relate to the love affairs of the provincials, and to the corruption of the clergy, and it must be confessed that he never sacrifices the point of an anecdote to the memory of his ecclesiastical vows, or the hopes of ecclesiastical preferment. If any one were to collect the hints scattered through the work of the details of private life, of the relative proportions in which different crimes were prevalent, and of the state of moral feeling among the upper classes of Auvergne, a curious contribution might be made to our knowledge of French history in the seventeenth century. We must, indeed, make some allowance for the malice

of a Parisian wit, and the exaggeration of a Parisian story-teller; but, in the main, Flécher's narrative leaves an impression of trustworthiness.

We cannot attempt to go into the minuter excellences of the picture; but among the more valuable portions of the book is one which is too curious to pass by in entire silence. Here and there we have intimations of the effect produced on the peasants of the province by the arrival of authorities who were not afraid to punish the crimes of the great. The poor were emboldened by the presence of the judge, and came forward readily to give evidence against their oppressors. They even turned the Grands-Jours into an engine of oppression in their own favour; and if a noble failed to treat them with respect, or to give them a civil salute, they immediately threatened to accuse him before the dreaded tribunal. A lady complained that all her peasants had bought gloves, and thought that they were no longer obliged to work, and that they were the only persons in his kingdom for whom the King really cared. When members of the nobility whose conduct and life had been irreproachable came to Clermont, their dependents kindly assured them they should be safe, and offered to speak a good word for them—as if this were the only security against the block, and as if they had even become the masters of their own lords. They thought that the real object of the Commission was to restore to them their possessions, and to give them back all that their ancestors had ever sold or lost. A dependent of M. de Chazeron, a gentleman of station in the province, came to demand the restitution of a field sold by his grandfather. It was in vain that the title of a sale was pleaded. The rustic put his hat on his head, and exclaimed, "Restore it, or be summoned before the Grands-Jours." His lord, who at any other time would probably have had him well flogged, dared do nothing more than pluck the man's hat off his head and throw it on the floor—on which the peasant told him to pick up the hat, or it should cost him his life. The master obeyed, picked up the hat, and at once rode over to Clermont to complain to the President of the affront put on him. A more striking instance of the fear inspired by this extraordinary tribunal could not be imagined, for we are assured that M. de Chazeron was a man against whom no well-grounded accusation could be brought. Still he was so afraid that, if he used his legal power over his dependent, his conduct would be misrepresented, and he would be supposed to have committed a deed of violence, that he felt it wiser to humble himself before the insolence of the peasant. The licence engendered in the breasts of the brutalized boors by this sudden accession to power is said to have reached such a height that a band of peasants, whose passions had been inflamed by a debauch, determined to pursue some one of the nobles of the province to death, and drew lots to decide who should be the victim. The lot fell on M. de Marlay, one of the best gentlemen in the district; and they proceeded to try his patience by offering him every kind of insult and annoyance, in order to get some ground for bringing an accusation against him. Such stories show at once what the peasants had suffered, and how deeply their sufferings had rankled in their minds. They open for a moment the dark page of history which hints how human life ran on in the dwellings of the poor, far away from the splendour of courts and camps, which fills up the ordinary annals of France. They carry us back to the days of the Jacquerie, when the calamities of the English war gave a transient opportunity to the peasantry to seek, in the ruined fortunes of the nobility, the means of carrying out the wild and immature communism prevalent throughout Europe in the fourteenth century. Still more do they carry us forward to the Revolution, which, in the eighteenth century, gratified the hate of the peasantry, and realized their dream of an absolute social equality. We here go one step further back than M. De Tocqueville has carried us, and see that, even in the early days of the *ancien régime*, a change was foreshadowed in the relations between the noble proprietors of land and their dependents.

In Auvergne itself, there were no serfs at any period of the sixteenth century; but personal servitude prevailed in districts immediately adjoining that province, until abolished by the edict of 1779. Some serfs from Combrailles, a small district to the north-west of Auvergne, appealed to the tribunal of the Grands-Jours, and claimed their liberty. They were the offspring of free fathers, and it was chiefly on this ground that they rested their claim. The custom of Combrailles clearly permitted serfage, and as clearly admitted the maxim of the civil law, that the condition of the mother determined that of the child. Still the President of the Grands-Jours was inclined to decide in favour of the applicants, on the ground that serfage was inconsistent with Christianity. His colleagues, however, refused to institute a precedent which might have had so serious an effect on the condition of landed proprietors, and the case was adjourned, and remained undecided. It is nevertheless worth noticing, because it shows that intelligent men had at that time began to question the general right to hold serfs; and it also shows that the peasants themselves were sufficiently aware of the disadvantages of their condition to wish to be free. Recent writers, and especially M. Le Play, have described the condition of Russian and other serfs in a very favourable light, as contrasted with that of western free labourers; but we may always observe that serfs are only contented because they do not know of any other state than that in which they were born. As a

nation increases in wealth, and in the activity of mind which fosters and is fostered by wealth, a movement takes place to get rid of serfage; but when this movement is a gradual one, it is extremely difficult to trace its operation. One of the most interesting, but, unhappily, one of the most obscure questions of English history, is the manner in which villeinage was abolished in England. This case of the serfs of Combrailles may at least show us that it made a great difference in the possibility of a speedy abolition of personal servitude, whether the condition of children was determined by the maxim of the civil law, or by that which, from some unknown source, became the doctrine of the English law—that a free father made a free child.

NATURE-PRINTED FERNS.*

THE beautiful family of ferns forms a large and very well marked division of the vegetable kingdom. Comparatively rare and humble in our northern climate, they increase in number and in importance as we approach the Equator. In the Southern hemisphere they play a very important part, and even their noblest and tree-like form is found in places the latitude of which corresponds to that of Berlin. The true native land of the tree-ferns is, however, the very hottest region of the globe. They are not, indeed, peculiarly suited to those sultry maritime plains in which the plantain and the banana are at home; but they flourish in unsurpassed luxuriance in the valleys of the Andes, where, between 3200 and 5500 feet above the level of the sea, the various species of the Cinchona, one of Heaven's best gifts to mankind, rise into the soft air through which the lower stratum of clouds scatters continual moisture. Tree-ferns, we are told by Humboldt, are not noticed by any of the ancients. The first mention of them is made by a Spanish writer, in the middle of the sixteenth century. Struck by their unusual appearance, he considerably exaggerated their height, which rarely exceeds forty feet.

It is difficult to say how the Pteridomania, now so prevalent in this country, took its first commencement. One of its causes undoubtedly was that, as the interest in nature increased, people sought for some branch of study which seemed to have limits, wherein to essay their powers before they ventured forth into the labyrinth of phenomena which lay around them. The circumstance that ferns are preserved with so much greater ease than most other plants, acted in the same direction; and the elegance of their forms, even as seen in herbaria, attracted many persons whose interest in botany was rather æsthetic than scientific. One result of the close attention which has of late been given to our native species is a very deplorable one. Collectors, destitute of the true spirit of the botanist—whose delight is to see, to recognise, and to understand a plant, not to possess it—ransack the country far and wide, carrying off our rare ferns from their chosen haunts to languish in Ward's cases, or to be mismanaged and die on rockeries. The consequence is, that those who really love these beautiful objects begin to think, when they find a new station for a rare species, that it is wise to keep their own counsel.

The magnificent and really faultless book before us will do much to extend the study of our British and Irish ferns. It is the first attempt which has been made in this country to apply to botanical purposes the process of Nature-printing, as employed at the Imperial printing-office in Vienna. The method is not detailed in this work, but it appears to consist in obtaining from the object to be represented an exact counterpart in copper, and then transferring to paper the impression made on the copper. It is thus perfectly distinct from, and far more efficacious than, the plan which had been previously attempted, of printing from the natural object itself. The technical distinctions between ferns depend, as is well known, upon very small details; but, as Dr. Lindley sensibly observes in the preface to this volume, it is not to these that the eye of the practised botanist turns to distinguish a species. The eye takes in at a glance the difference between the true and the false maidenhair, or between the male fern and the lady fern. All that is really important is reproduced in these pages with admirable faithfulness. We might have blamed Mr. Moore for enumerating so many varieties as he has done, if he had not in some introductory remarks set himself perfectly right with us upon this score. His object has been twofold—first, to give pleasure to the numerous class who are fern-hunters only, and not botanists, thus encouraging a healthful, and, in so far as it trains the faculties of observation, a useful pursuit; and secondly, to press upon the attention of botanists the extreme difficulty of saying what a species really is. He suggests the questions, Does Nature really recognise species at all, or does she only recognise individuals? Is a species anything more than a collection of individuals associated for our convenience? And if so, are those botanists who go on dividing and subdividing species upon very slight grounds, to be regarded in any other light than as the enemies of mankind?

Mr. Moore begins his enumeration of ferns with the Common Polypody. This fern, so common in our own lanes, is widely distributed. It is found in Sicily and the north of Africa, and

* *The Ferns of Great Britain and Ireland Nature-printed.* By Henry Bradbury. London: Bradbury and Evans. 1856.

reappears in Kaffirland. In Asia, it has been traced through Siberia to Kamschatka. The two most remarkable varieties are the *Semi-lacerum*, often called the Dargle fern, and the *Cambricum*. The latter is chiefly known as a garden plant, and is very beautiful. The *Polypodium Phegopteris*, or beech fern, has also a wide geographical range. It is found all through Europe, and even on the bleak shore of Unalashka; and it is commoner in the north of England and Scotland than in the middle and southern counties. The lovely *Polypodium Dryopteris*, or oak fern, also wanders very widely. It grows at the North Cape, and is common in the United States. The *Polypodium Robertianum* is a rarer species, and loves exposed limestone rocks. It has its English head-quarters on the hills of Gloucestershire. Some have contended that it is only a variety of the oak fern; but its more erect, stout, and rigid habit, combined with the greater roughness of its fronds, and their less ternate than pinnate arrangement, make a real distinction between the two. *Polypodium alpestre*, although it is widely distributed in Europe, is not very general in Britain. In some districts of Scotland, as in the higher parts of Aberdeenshire, it is abundant. Till lately, it appears to have been generally confounded with the lady fern. *Allosorus crispus*, or mountain parsley, is common in some localities, chiefly in mountain regions. It delights in rough boulders, and requires scarcely any moisture. Along the rivers of hypersthenic debris which fall down from the black heights of Ben Blaven, in the Isle of Skye, it grows in great quantities, and it often rewards the toils of the botanist on exposed hill sides, where scarcely any other plant can find sustenance.

Polystichum lonchitis, the holly fern, is not very uncommon in the Scotch Highlands, although everywhere taking rank as one of the botanical curiosities of the neighbourhood in which it is found. It grows in many distant countries, amongst others in Cashmere. *Polystichum aculeatum*, the common prickly shield-fern, and its variety *lobatum*, are not uncommon in our lanes. Not so is *Polystichum angulare* with its many varieties—one of which, *proliferum*, found in Surrey and Devon, is far removed from the normal type of the species, and is exceedingly pretty. Of the common male fern, *Lastræa filiformis*, two varieties—the *cristata* and the *polydactyla*—given in this book, will be new to most people. They seem both to be quite permanent. *Lastræa rigida* is in these kingdoms a local plant, almost confined to the limestone knot between Yorkshire, Lancashire, and Westmoreland. It grows, however, all over the European continent, is found in Sicily, and perhaps in a more developed form in North America. We pass over some of the less interesting species and varieties of *Lastræa*, merely noticing the confusion which prevails between the species *dilatata* and *spinulosa*, and pass on to the *Lastræa fenestricæ*, which is interesting from the narrow limits over which it is distributed—being found only in the United Kingdom, chiefly in the peninsula of Devon and Cornwall, and in the Azores, the Cape de Verd group, and Madeira. The *Lastræa oreopteris* is the common fern of the Scotch Highlands. The *Lastræa thelypteris* is rare, and is as great a lover of marshy ground as the one last mentioned is of heathy hills. The *Athyrium filix-femina*, or lady fern, is in its normal form one of the commonest, as well as one of the most beautiful, of our native species. It is very widely distributed, and its varieties are endless. *Asplenium fontanum* is a doubtful native; *Asplenium lanceolatum* is a sea-side and southern species; *Asplenium adnigrum* is everywhere in Britain, and is one of the most beautiful of its genus. Its varieties, also, are widely distributed. *Asplenium marinum* is less common, but far from rare, except on the east coast. *Asplenium trichomanes*, or false maiden-hair, has many varieties—none of them so pretty as the commonest of all. The paler and more delicate *Asplenium viride* has also several. It is not anywhere common in Britain, but is widely scattered from Shetland to Hindostan. *Asplenium ruta muraria* is, as its name implies, a lover of old walls, and is common all through the country in such situations—less frequent, however, on the east coast than elsewhere. *Asplenium germanicum*, the alternate-leaved spleenwort, a very curious fern, is, on the other hand, excessively rare. We are glad to observe that one of its stations is almost inaccessible. *Asplenium septentrionale* is widely scattered in small quantities. In spite of its name, the most northern station at which it has yet been found is in Aberdeenshire, although there are rumours of its having been seen in the Orkneys. The *Scolopendrium vulgare* delights in the most abnormal forms. Mr. Moore presents us with the more important varieties, and enumerates sixty-six. The *Ceterach officinarum* is far from uncommon. In the west of Ireland it is abundant. The *Gymnogramma leptophylla* just touches our shores in Jersey, but it grows all across Europe from that island to Sicily, and is found at Vera Cruz, at Swan River, and in New Zealand. The *Blechnum spicant* ranges across Europe from Sicily to Sweden, and is in the British Isles the most widely distributed of all ferns, if we take its horizontal and vertical distribution into account. The *Pteris aquilina*, so truly and poetically named, is, however, more abundant. This is our common Bracken—the species which, till people begin to observe ferns, swallows up, so to speak, all the others. It grows all over the world. The *Adiantum capillus veneris*, or True Maiden-hair, has also a wide range, though it is rare in this country. It is one of the commonest plants of the shores of the Mediterranean. The exquisite *Cystopteris fragilis* is one of our most

provoking plants. Mr. Moore calls it “a botanical *ignis fatuus*, alluring the incautious novelty-seeker among the quagmires of species-making.” The still lovelier *Cystopteris regia* is excessively rare in this country—indeed it has been almost extirpated. Amongst its foreign stations we may mention Taygetus. *Cystopteris montana*, a northern species, is also rare in Great Britain. Both the Woodsias are also exceedingly uncommon with us, though plentiful in Northern Europe. *Trichomanes radicans* is a connecting link between the British Flora and that of the African Atlantic Islands. It is found on the Turk mountain in Kerry in the same region as the *Arbutus unedo*, and some of the southern saxifrages. The two *Hymenophyllum*, *tunbridgensis* and *unilaterale*, are very like each other. Both love damp and rocky situations, but the first prefers warmth and shelter, the second exposed situations. They are both widely distributed. The latter is found in the Falkland Islands and in South Africa. The *Osmunda regalis*, “the flower-crowned prince of English ferns,” is the one of all our native species which most nearly approaches the tree-ferns of the Tropics. It loves a moist situation, and its noble fronds, hanging over the clear water, are amongst the most beautiful objects round the Lakes of Killarney. The *Botrychium lunaria*, or moonwort, and the two adders’ tongues, *vulgatum* and *lusitanicum*, are, although classed with the ferns, very unlike the other English members of the family. The last-mentioned is one of the latest additions to the British Flora. It has been found in Guernsey in some abundance.

The work before us has been superintended by Dr. Lindley, but the selection of the specimens to be figured and the preparation of the letter-press have devolved on Mr. Moore. Mr. Bradbury has managed the nature-printing. To each and all of them the public owes many thanks. Their united work is what the Germans would call an *Augenweide*—a pasture for the eyes to feed on. *O si sic omnia!*

WIFE TO SELL.*

SUCH is the title of a lively little piece, fresh from the pen of Paul de Kock, and now performing nightly at one of the humbler theatres of Paris. The scene is laid in Edinburgh, and the plot turns on the well-known custom of wife-selling in open market, so habitually practised by the citizens of the northern capital. One of the personages of the drama is Bilboque, landlord of the Golden Lion, who is bent on marrying the daughter of his neighbour Bouledogue, or some other lady, to rule his bar, while he himself presides over the spigot. Mine host Bilboque, in his red wig, white nightcap, and kilt, is not, perhaps, a very attractive figure, and, out of Scotland, he might find some difficulty in forming an eligible alliance. Happily, however, the custom of the country aids the accomplishment of his desires. As M. de Kock has it, “They are progressing, these Scotchmen. They don’t wear trousers, but they sell their wives, and that makes up for it.”

A stranger, witnessing this piece, would probably be of opinion that much of it is worthy of a more refined audience, and that happy conception and witty dialogue are rather thrown away upon a stage usually animated by coarse and often stale practical jokes. We believe that the taste of the Boulevard du Temple is about on a level with that of the New Cut. There is a good deal in Molière that would please the one, and in Shakspeare that would delight the other; but it is possible to applaud many things in either author without evincing delicacy of taste or keen perception of dramatic beauty. It is true, however, that the leading incidents of Paul de Kock’s little play are broad enough, and so ludicrous that no audience, gentle or simple, could help laughing at them. But we must hasten to explain the peculiar merits of the piece.

Blaireau, a young Parisian, and by trade a sign-painter, finds himself in Edinburgh without a shilling, and owing a score to Bilboque, who detains his effects in pledge. It of course occurs to one that such characters as Blaireau, however they may abound on the Boulevard du Temple, must be very difficult indeed to meet with in Edinburgh; but the author reconciles us to this strong improbability by the following device. Blaireau has been at the Comic Opera and heard a chorus sing—

Oh! the Scottish mountaineer,
The open-handed mountaineer,
He’ll give you, for nothing, the best of his cheer.

And these words, he says, engraved themselves on his memory. His fertile brain suggested to him that he could live in Scotland gratis, work and get well paid for it, and return with a full purse to indulge in the delights of Paris. However, Bilboque, his host, does not happen to belong to the generous race of Scotchmen who figure in M. Scribe’s opera. The food and liquor he supplies displease Blaireau’s appetite, and besides, must be paid for in ready money. That unhappy painter, sick of haggis and Scotch ale, laments the credulity which believed in opera-songs, and declares that M. Scribe ought himself to pay the demand of the odious Bilboque. There is, however, a resource. The landlord desires a new sign-board, and commissions Blaireau to paint him a golden lion. But the bent of that artist’s genius

* *Femme à Vendre*. Opéra-bouffe en un acte. Paroles de M. Ch. Paul de Kock. Représenté pour la première fois, à Paris, sur le Théâtre des Folies-Nouvelles, le 4 Octobre, 1856.

has led him to the exclusive study of the red rose, and he gravely produces to Bilboque a full-blown representation of that flower, under which he has inscribed "The Golden Lion." To the unreasonable objections of the innkeeper he answers that a red rose is far more graceful and attractive than a golden lion—that he excels in painting red roses—that the inscription he has added gives great originality to the whole work—and besides, "Who will undertake to say that the lion is not crouching behind the rose? . . . These things you don't understand in Scotland, but they are common enough in Paris." And, he instances the case of a coachmaker of the Quartier Breda, who wrote on his sign-board "Louis the Fourteenth travelling," whereas one could see nothing in the painting but a carriage carefully shut up. "But then everybody understood that Louis the Fourteenth was inside the coach." Unfortunately, this ingenious argument fails to satisfy Bilboque. He refuses to accept the work, demands instant payment of 2*l.* 6*s.* 8*d.* for roast-beef, beef-stenks, and "goes" of port, and leaves Blaireau hungry at his inn-door, complaining of the inaccuracy of M. Scribe's pictures of Scottish manners.

Here he is unexpectedly joined by another unlucky Parisian, Maslignac, a maker of statuettes, who has been smitten with love for a Scotchwoman whom he saw performing at the Hippodrome. He declared to her his passion. She bade him follow her to Scotland, but added a warning that she was married. He reflected that that circumstance need not hinder him, because in Scotland the women wear the breeches—or, at least, the men don't, and therefore the women must—an argument which his friend shows him is inconclusive, since it is possible that neither sex knows that garment. The amorous Maslignac breaks forth into a ballad in praise of the charming Scot for whose sake he quitted the dear land of France, "like Mary Stuart, at the Cirque." But in vain he crossed the sea. Scarcely had the fair one landed, when her brutal husband sold her in the market for twenty shillings, and Maslignac failed to buy her, for six reasons, of which the first was that he had not a penny in the world. His poverty, as well as that of his friend, is caused by the obstinacy of Bilboque. As Blaireau only understands the red rose, he has a special vocation for the study and representation of the monkey. Bilboque has ordered of the statuery a bust of himself. It has been executed, and he now declines to pay for it, on the absurd pretext that he bears no resemblance to a chimpanzee. Thus both the exiles have been equally wronged by Bilboque, and they combine to avenge themselves upon him through his known anxiety to take a wife, and the ill-success which attends his courtship of the daughter of his neighbour Bouledogue.

Thus we come to the grand scene of the piece. Enter Maslignac, dressed in woman's clothes. We need not say that all the well-known Parisian skill has been lavished upon the toilet of that magnificent and incomparable female. She has a rope round her neck, the end of which is held by Blaireau, who sings as he leads her on—

Wife to sell, wife to sell:
Look at her well, look at her well.
You can take or go without her;
She, be sure, 's an out-and-outer.

The broad humour of the conception is admirably illustrated by the actors, and thoroughly appreciated by the audience. "I told you," says Blaireau, "that I expected some property from France, and see it has arrived." Bilboque, full of admiration, critically examines the lady's points, while Blaireau calls attention to her "torse," and laments the hard necessity which must part him from the rare beauty and charming social talent of his Bibiche. When Bilboque desires to see her face, her womanly modesty resists for a time her husband's efforts to draw aside her veil. The sight of her features inflames Bilboque's passion more. She will be superb, he declares, behind his counter. He tries to look at her teeth; but she threatens to bite, and he is forced to content himself with a warranty that they are complete and sound. But what most interests him is her "solidity." After many a careful look on every side, he asks whether she is all hard flesh, and none of it crinoline? "Marble of Paros," is the satisfactory answer of the vendor. She can ride, and to show her power of voice she kindly consents to sing. Besides, she can dance to perfection all the dances of the civilized world, and, above all, she understands "la boxe" as well as the first British artists in that line. Here the rapture of Bilboque becomes extravagant. "She can box! Oh! let us see, my dear, let us see you play a little with your fists." They set-to. Maslignac knocks down Bilboque, and pummels him well as he rolls on the ground shouting, "Oh! I am enchanted, ravished. I give the twenty guineas, and she is mine." He rises, hands over the money, and receives the lady, and to celebrate his marriage he begs that she will condescend to dance with him. Hereupon the newly-wedded couple fly off into a furious Scotch reel, in the ecstasies of which Maslignac's petticoat falls down, and displays his trousers. Bilboque is struck with amazement at the novelty of that article of dress, as Maslignac chooses to suppose. But the deception can go on no longer. The furious Bilboque shouts that he is robbed by scoundrels, but is tranquilized by an invitation to box a little more with Maslignac. He has had enough of that, and prefers to allow the rogues to pocket his twenty guineas, and carry them away to spend in France. The curtain falls amid a joyous chorus anticipating the pleasures and gaiety of Paris.

THE PRODUCTIVE FORCES OF RUSSIA.*

WHATEVER may be our future relations with the Russian Empire, these comprehensive and laborious Commentaries cannot fail to prove most valuable. They will teach us to measure, more accurately than we have hitherto done, the warlike resources of that Power; and we may also learn from them the character and extent of the commerce which may in time be open to us. It has become an established custom to speak of all facts regarding the condition and power of Russia as involved in mystery, or designedly falsified to impose on Europe; but it would certainly appear, from a perusal of the work before us, that the Russian Government is diligently engaged in collecting and publishing the statistics of the empire, and that, far from affecting concealment, it rather seeks to diffuse among its subjects and neighbours a correct knowledge of the character and productions of its vast territories. It is at the same time manifest that the machinery required for procuring accurate statistics exists at present only in a very imperfect form. Many of the returns used by M. de Tegoborski are so evidently conjectural that we are somewhat surprised at the great amount of industry he expends in deducing conclusions from them. This, however, is only the ruling passion of the statist. He has got the figures, and whether they are right or wrong, he can manipulate them with equal skill, and can display equal ingenuity in combining them with the statistics of other countries. Still, his calculations, if not altogether worthy of our confidence, are valuable as first attempts which may hereafter be repeated with greater accuracy.

Upon one topic, often insisted on by our own writers, the testimony of this high authority is most remarkable. It had been confidently predicted, from the outbreak of the late war, that, in no long time, the inevitable consumption of human life must so far impoverish the Russian Empire as to compel a suspension of the contest. Upon this subject, M. de Tegoborski says:—

In consequence of the disproportion which exists in a great part of the Empire between the number of the population and the extent of the soil, we find ourselves, as respects the relative value of land and labour, in a totally different position from any other country. Elsewhere, the land is usually more valuable than the labour; with us, the labour is usually more valuable than the land. In valuations of real estate, it is not the extent of productive soil, but the number of peasants, that serves as the basis of calculation. The fertility of the soil enters, no doubt, into the estimate; it is this which renders the peasant in one government more valuable than the peasant in another; but it is always a secondary, never the primary element of the price.

It is true that this state of things is, or rather was at the outbreak of the war, undergoing a considerable change. Lands without peasants bound to the soil, which twenty or thirty years ago were almost worthless, had gained an appreciable value. But this, of course, was only in those provinces which could feel the influence of foreign trade; and that influence was suspended by the war. And not only has improvement been thus checked, but the chief property of the nobles—that is, their serfs—has been lavishly consumed in supplying the losses of the Czar's armies. Such is the plain inference from the words of this high financial authority, and we do not think stronger proof could be given of the probable consequences to Russia of a prolongation of the late struggle. The admission we have above quoted testifies strongly to the writer's candour; and therefore, when he speaks, as he often does, of the growing strength and vigorous youth of his great country, his statements equally deserve the attention of Western Europe. The author evidently believes, as firmly as an Englishman or an American, that his country has a great part to play in the future history of the human race; and we cannot but admire his confidence in his nation's destiny, and his persuasion that she can afford to await the full development of her strength. To us, the territory of France or of Austria appears extensive; but the Russian delights in computing how many times the area of these empires is contained in the dominions of the Czar.

One of the best and most valuable portions of this work is the chapter which traces the growth of the manufacture of beet-root sugar in continental Europe, and examines the prospects of that branch of industry in Russia, and the expediency of encouraging it. The statistics used in this inquiry are not open to the remark we have made above, and they are employed with great ability to elucidate a very important investigation. The manufacture of sugar from beet-root originated, as is well known, in the necessities occasioned on the Continent by our rigorous blockade in the French war. In France, this business has grown so rapidly that its annual produce nearly equals in quantity the sugar imported from the colonies; and this prosperity appears to be unimpaired by the measures that have been taken to equalize the duties upon home-grown and colonial sugars. But in Russia, the quantity grown at home does not exceed one third of the whole consumption; and this degree of success has only been attained by keeping up a very high protective duty. In the opinion of M. de Tegoborski, a great loss of revenue is caused by this excessive protection, while manufactories are enabled to struggle on without any vigorous life, and therefore without contributing to the real prosperity of the country. He thinks that the import duty ought to be reduced, and the duty upon home-made sugar raised; and that, in suitable localities and

* *Commentaries on the Productive Forces of Russia.* By M. L. de Tegoborski, Privy Councillor and Member of the Council of the Russian Empire. London: Longmans.

under judicious management, beet-root sugar might still be profitably grown. His results are deduced from a careful examination of every stage of this industrial process as practised in Europe, in America, and in the East and West Indies. He concludes that in France, and in some parts of Germany, the whole operation is nearly as perfect as it can be made. In Russia, however, the manufacture is less skilful, and a much smaller percentage of saccharine matter is obtained from the same quantity of beet-root. As regards cane sugar, he thinks the process capable of great improvement, and that the cost of production might be considerably reduced. It is probable that, at no distant day, the Russian system of protective duties will undergo revision, and any extensive reduction can scarcely fail to benefit our own colonies.

Another subject equally interesting to Englishmen is the breeding of horses, which is carried on to a great extent in the vast plains of Southern Russia. The warlike and wandering habits of the ancient population, the increasing demands of the numerous cavalry and artillery of a large army, and the immense distances that have to be traversed in this gigantic empire—all these circumstances have combined to stimulate this branch of rural economy, and it is favoured by the great extent of pasture land which is found in almost every province. From the time of the Empress Catherine, systematic efforts have been made to improve the breed of horses, and for the last half-century there has been a constant importation of stallions from England for that purpose. Our author complains that the Yorkshire jockeys have been too sharp for the Russian officials, and that the quality of the imported horses has not come up to expectation. This, perhaps, is not altogether an unfounded charge, and it is indeed some comfort to discover that there are people in the world too sharp even for the Russian Government. Nevertheless, M. de Tegoborski thinks that the native breeds have been very considerably improved, and he even believes that his countrymen now possess race-horses fit to run against the best in England—an opinion which is not, we think, shared by those Englishmen who have seen the finest Russian studs. In the year 1843, the Crown studs, which formerly were conducted with a purely military object—the remounting of the cavalry—were converted into Imperial studs destined for the public benefit; and in order to place these establishments on a better footing, the Government acquired, in 1844, the two most celebrated studs in the empire, that of Count Rostoptchine and that of the Countess Orloff. In a very short time twenty-four depôts of stallions were organized under the title of “rural mews,” with the view of propagating good breeds in every part of Russia. The imperial studs are now seven in number. Two of them are in the government of Woronje, four are in that of Kharkow, and one is in that of Nijni-Novgorod. Being destined to raise stallions for different services, they have been arranged accordingly, and each of them has a type peculiar to itself. The first stud is a nursery of pure-blood horses, and is divided into two sections, one devoted to English racers, the other to Arabs. The second is composed of three departments—1, Saddle-horses of the old Orloff breed, uncrossed; 2, Saddle-horses, cross-breeds, including the Rostoptchine breed; and, 3, Trotters. The third is for large-framed cuirassier horses; the fourth is for light cavalry; the fifth for carriage-horses of large frame; the sixth for draught-horses of medium size; the seventh is for heavy draught-horses of large size, and peasants’ horses. In 1850, the total number of horses in these studs amounted to 6291, of which 149 were stallions, and 1553 brood mares. The rural mews in the same year reckoned 1440 stallions. Our author considers that the English cavalry is the best mounted in the world, and he ranks that of his own country second.

It appears that, in European Russia, the number of peasants subject to personal servitude is nearly twelve millions, and the number of free peasants is about the same. But in many of the domains belonging to individuals, the *corvée* has been converted into a pecuniary quit-rent, so that more than two-thirds of the productive soil is now free from the *corvée* system. This system, therefore, cannot exert so general an influence as is supposed on the condition of Russian agriculture. But however defective the system may be in itself, it is, for the moment, in the opinion of M. de Tegoborski, a necessity. The amount of disposable capital requisite to be invested in agriculture, in order to establish a system of cultivation by paid labour, does not exist in proportion to the immense extent of the arable lands. In many districts, too, the value of the products of the land would not afford a sufficient return to cover the working expenses. And, further, in those provinces which are little favoured in regard to commerce and industry, and where money circulation is trifling, it is much easier for the peasant to discharge his quit-rent in the shape of labour than to pay any rent whatever in money. In support of this opinion as applicable to certain districts, our author quotes the conclusion of M. Haxthausen, that, “if any one were offered, in a present, the fee simple of a domain near Jaroslaw on condition of converting it into a farm on the model of those of central Europe, he would be a fool if he were to accept; for not only would he draw no return, but he would be obliged to incur additional outlay every year if the establishment were to be kept going.” It follows that, in such districts, farming on a large scale can only be carried on under the *corvée* system; but it is equally certain that, previously to the

war, the extent of these districts was diminishing, and, it is probable that the progress of improvement and the increase of wealth will soon abolish serfdom in European Russia.

We have but selected, from this copious mine of knowledge—to which we shall take an early opportunity of recurring—a very few of the striking facts and opinions that are to be found in it. The book deserves and will repay attentive study, and we hope that its appearance may put an end to a good deal of that ignorant and narrow declamation about Russian mystery and Russian barbarism with which we have been overwhelmed. The truth is, Russia is as yet in her childhood, as a civilized State; and it is unreasonable to expect to find there the mature institutions of a full-grown nation. We cannot conclude without remarking that there is something rather peculiar about the style of the English version of these Commentaries. We presume that a translator who has such full command of the English language must be an Englishman, and yet we find expressions which do not belong to our own, nor, so far as we know, to any other tongue; and we also find well-known words used in strange senses and collocations, while the word “will” is employed in a manner that is not English, nor even, we believe, Irish.

THE QUADROON.*

WHEN a book is “founded upon actual experience,” as Captain Mayne Reid informs us is the case with his novel of the *Quadroon*, it is frequently more apt to convey false ideas than a work which does not profess to be anything more than mere fiction. Ignorant readers have no means of distinguishing between the true and the false; and prejudiced ones, if they find anything in the story which coincides with their own views, are sure to lay hold of it as the “actual experience,” while all besides goes for nothing in their estimation. When the scene is near home, and the *dramatis personæ* are of a class which comes within the range of our observation, we run less risk of mistaking fiction for fact, and *vice versa*; but when the venue is laid in a distant country, amidst characters of which we know little by hearsay, and nothing by experience, the case is quite otherwise. Then we are entirely at the mercy of the author, and unless we can place full reliance upon his general accuracy, his “actual experiences” are of no more use to us than if his work had been fiction from beginning to end. We are willing, however, to believe that, in regard to the story of the *Quadroon*, the pictures which Captain Mayne Reid gives us of life in Louisiana, of the condition of the slaves there, of the character of the owners of the plantations, and of the almost tropical scenery of that lovely region, are true in the main, and that it is only the lover’s adventures which are the fictitious portion of his work. At least, we believe that it would require more than a usual amount of credulity to enable any one to receive as gospel so improbable a story, of which we will endeavour to give our readers some notion by a sketch of the plot.

The hero—who, by the way, does not condescend to favour us with his real name—is travelling in America. On board a steamer, on his way from New Orleans to St. Louis, his attention is attracted by the beauty of a young lady, one of his fellow passengers, whose name is Eugénie Besançon, and her destination a plantation called Brinquiers, belonging to her, and situated some distance up the river. A race takes place between their steamboat and another which left New Orleans shortly after it, and the trial of speed ends in the explosion of their boiler and the destruction of the vessel. Mr. Rutherford—for that is the *alias* the hero assumes—saves Mademoiselle Besançon from drowning, and the two are cast ashore close to her estate. He is carried up to the house, and remains there until he has recovered, and has fallen violently in love with Aurore, Mademoiselle Besançon’s Quadroon slave. After having drawn from her the avowal that his affection is reciprocated, he makes a confidante of Eugénie, when he learns to his horror, from the manner in which she receives his communication, that the lady is in love with him herself. So shocked is he at the discovery that he betakes himself for a time to the woods, and after meeting with several adventures, returns to Brinquiers only to learn that M. Dominique Gayarre, an *avocat*, and a most detestable character, has a heavy mortgage upon Mademoiselle Besançon’s estate, and is going to take possession of it immediately. Previously to this, Mr. Rutherford had formed a very bad opinion of this Gayarre, and his aversion to the man had been increased by finding that he, too, was in love with Aurore—with no intention, however, of making her his wife. On learning that all the slaves on the estate are to be sold, Rutherford is filled with dismay, for he has every reason to believe that Gayarre will purchase Aurore, and outbid any sum that he may be able to offer. He determines, however, instantly to go to Mademoiselle Besançon, in order to know exactly how matters stand, when he receives a letter from her, telling him that she is a beggar, informing him that she intends entering the convent of the Sacré Cœur, at New Orleans, and bidding him an eternal farewell. When he reaches Brinquiers, he finds that Eugénie and Aurore have left, no one can tell him for what place; but, as he thinks it most probable that they have gone to New Orleans, he determines to follow them thither. On board the steamer he falls in with a young Creole,

* *The Quadroon; or, a Lover’s Adventures in Louisiana.* By Captain Mayne Reid. 3 vols. London: George W. Hyde. 1856.

M. Eugène d'Hautville, who is the means of preventing him from being cleared out by a set of gamblers who are among the passengers. Before the two young men part, Eugène promises to call upon Rutherford the following day. The first thing Rutherford does on landing is to apply to a banker to advance him a sum of money, as his own funds have not arrived, the mail not being yet due. The banker refuses; and so, with "hope behind him, and despair in front," he returns to his hotel. He next attempts to discover where Eugène and Aurore are living; but his search is fruitless. In the evening, Eugène comes to see him, when he confides to him the unhappy story of his love, and tells him that his only hope lies in winning as much money at a gambling table as will suffice to purchase the lovely Quadroon. Eugène approves his plan, and accompanies Rutherford to the gambling-house, where he soon loses all the money he has about him; and Eugène then stakes his watch and diamond ring on behalf of his friend, but with no better success. However, he bids Rutherford not to despair, and the next day, just when he had given up all hope, brings him a sum of three thousand dollars. This proves insufficient, and Gayarre becomes possessed of Aurore—whereupon Rutherford determines to rescue her, and Eugène to aid him. After many hairbreadth 'scapes and perils, they are successful; and then comes the *dénouement* of the story. Eugène d'Hautville turns out to be the noble-minded Eugène Besançon—Aurore is no slave after all, but a free Quadroon—Gayarre is convicted of having embezzled a large sum of money belonging to Mademoiselle Besançon, and is consigned, in consequence, to the prison of Baton Rouge. Eugène recovers the whole of her property, and, though "her heart's young hope was crushed, her gay spirit shrouded," lives to find that "there are other joys in life besides the play of the passions." As for Aurore and Rutherford, they are of course happy ever after, and the other personages have their full meed of poetical justice awarded to them also. So much for the supposed fictitious portion of Captain Reid's novel—let us turn now to those parts which we may reasonably believe to have been founded on the author's actual experience.

It has been said that there are no slaveholders who are more cruel, tyrannical and overbearing than the Americans; and from what Captain Reid says, it would seem as if this were really the case. Among the slaves in Louisiana, he tells us, there is a general impression that the most tyrannical overseers are from the New England States. Among the southern blacks, "Yankee" is a term of reproach associated in their minds with poverty of fortune, meanness of spirit, the whip, the shackle, and the cowhide. Strange anomaly, observes Captain Reid, when we reflect that these men are natives of a land where the purest religion and strictest morality are professed! And strange also it is to learn that, if we had to point out who have been the best, and who the worst, masters amongst the slave-owners of North and South America, we should have to place them in the following order of excellence:—first, the French; then the Spanish; next, the English; after them, the Dutch; then the Yankees; whilst the Scotch would stand lowest in the list.

As a curious instance of the various forms under which "snobbery" shows itself in different countries, we may point to what Captain Reid tells us with reference to the races which are constantly being run between rival steamers on the Mississippi. He says that there is a substantial money-motive at the bottom of this rivalry, and that the boat which "whips" in one of these races wins the future patronage of the public. The "fast boat" becomes the fashionable boat, and is ever afterwards sure of a strong list of passengers, at a high rate of fare; for an American will spend his last dollar to be able to say, at the end of his journey, that he came upon the "fashionable boat," just as, in England, you find many people desirous of making it known that they travelled by "first class." *Appropos* of steamers, the "Englishwoman in America" mentions, if we remember rightly, that on the occasion of a race between two rival boats, an old woman on board, made generous by excitement, gave away some bacon-hams in order to supply the place of fuel. This burning of "bacon-hams," to create a greater power of steam, is, Captain Reid states, an incident of frequent occurrence upon the Mississippi. Nor is there any waste about the process, for, when wood has attained a high price, bacon-hams can be purchased for two cents per pound, and thus the use of them is a mere question of economy.

From Captain Reid's description of the gambling-houses which are a marked feature of New Orleans, we learn some curious particulars, and amongst them the following:—

We had to climb a wide staircase, at the top of which we were received by a whiskered and moustached fellow in waiting. I supposed that he was about to demand some fee for admission. I was mistaken in my conjecture—admission was perfectly free. The purpose of this individual in staying us was to divest us of arms, for which he handed us a ticket, that we might reclaim them in going out. That he had disarmed a goodly number before our turn came, was evident from the numerous butts of pistols, hafts of bow-knives, and handles of daggers that protruded from the pigeon-holes of a shelf-like structure standing in one corner of the passage.

The true national game of the United States is, it seems, the "election." The local or State elections afford as many minor opportunities for betting as the minor horse races do in England; while the great quadrennial—the Presidential election—is the "Derby day" of America. The enormous sums that change hands on such occasions is incredible. Nearly every second man you meet has a bet, or rather a "book," upon the Presidential

election. Among the games in vogue with professional gamblers may be mentioned "poker," "seven up," &c. The New Orleans "craps" is a favourite game among the Creoles, as are also "keno," "loto," and "roulette," played with balls and a revolving wheel. Farther to the south, "monté," a card game, is the national recreation of the Mexicans. "Faro," however, is the game which is universally preferred in the South-western States. It is of Spanish origin, and differs but little from *monté*, is easily learnt, and is entirely a game of chance. The most noticeable thing about it is the box which is used by the dealer. This is of solid silver, and is so constructed as to hold two packs of cards, its object being to ensure a fair deal. Captain Reid says that he cannot explain the interior mechanism of the box. All he saw was that it had no lid, and that it was open at one edge, where the cards are pressed in; also that it contained an interior spring, which, touched by the finger of the dealer, pushed out the cards one by one. A stylish faro-box is the ambition of every faro dealer, who would scorn to carry a mean implement of his calling.

Of course, Captain Reid gives many particulars respecting the life of the slave in Louisiana, and the treatment he receives at the hand of his master. It seems difficult to believe that some of the anecdotes he relates of the punishments inflicted on erring slaves are founded upon "actual experience;" but we fear no limit can be put to the horrors of the system of slavery, in cases where masters are careless and overseers brutal.

As regards the style of Captain Reid's book, we must confess that it is a little too tropical in colouring and expression to suit our sober English tastes. But, written among the scenes which it describes in such glowing language, we cannot wonder at the author having been carried away by the influences around him. Where, for instance, could there be richer materials for the word-painter than are suggested by the following picture of a lonely lake in the woods of Louisiana, with which we will close our notice of Captain Reid's interesting volumes:—

It was a large pond, though only a small portion of it came under the eye, for as far as I could see, the cypress trees grew up out of the water, their huge buttresses spreading out so as almost to touch each other. Here and there the black "knees" protruded above the surface, their fantastic shapes suggesting the idea of horrid water-demons, and lending a supernatural character to the scene. . . . It was the most singular voyage I had ever made. The pirogue floated in an element that more resembled ink than water. Not a ray of sun glanced across our path. The darkness of twilight was above and around us. . . . Even this hideous place had its denizens. It was the haunt and secure abode of the great alligator, whose horrid form could be distinguished in the gloom, now crawling along some prostrate trunk, now half-mounted upon the protruding knees of the cypresses, or swimming with slow and stealthy stroke through the black liquid. Huge water-snakes were also there, causing a tiny ripple as they passed from tree to tree. The swamp-owl hovered on silent wing, and large brown bats pursued their insect prey. Sometimes these came near, flickering in our very faces, so that we could perceive the mephitic odour of their bodies, while their horny jaws gave forth a noise like the clinking of castanets.

Suddenly a light broke through the gloom. A few more strokes of the paddle and the pirogue shot out into the bright sunlight. What a relief! I now beheld a space of open water—a sort of circular lake. It was in reality the lake, for what we had been passing over was but the inundation; and at certain seasons this portion covered with forest became almost dry. The open water, on the contrary, was constant, and too deep even for the swamp-loving cypress to grow in it.

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